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# ***Illinois Register***

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## **Rules of Governmental Agencies**

Volume 23, Issue 21 — May 21, 1999

Pages 5,973 – 6,195

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Index Department  
Administrative Code Div.  
111 East Monroe Street  
Springfield, IL 62756  
(217) 782-7017  
<http://www.sos.state.il.us>

published by  
**Jesse White**  
Secretary of State



Printed on recycled paper

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May 21, 1999    Volume 23, Issue 21

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# ISSUES INDEX I-1

## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

### REGISTER PUBLICATION SCHEDULE 1999

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 21, 1998	January 4, 1999 *	Issue 28	June 28	July 9
Issue 2	December 28	January 8	Issue 29	July 6 ***	July 16
Issue 3	January 4, 1999	January 15	Issue 30	July 12	July 23
Issue 4	January 11	January 22	Issue 31	July 19	July 30
Issue 5	January 19	January 29	Issue 32	July 26	August 6
Issue 6	January 25	February 5	Issue 33	August 2	August 13
Issue 7	February 1	February 16	Issue 34	August 9	August 20
Issue 8	February 8	February 19 **	Issue 35	August 16	August 27
Issue 9	February 16 ***	February 26	Issue 36	August 23	September 3
Issue 10	February 22	March 5	Issue 37	August 30	September 10
Issue 11	March 1	March 12	Issue 38	September 7 ***	September 17
Issue 12	March 8	March 19	Issue 39	September 13	September 24
Issue 13	March 15	March 26	Issue 40	September 20	October 1
Issue 14	March 22	April 2	Issue 41	September 27	October 8
Issue 15	March 29	April 9	Issue 42	October 4	October 15
Issue 16	April 5	April 16	Issue 44	October 12 ***	October 22
Issue 17	April 12	April 23	Issue 43	October 18	October 29
Issue 18	April 19	April 30	Issue 44	October 25	November 5
Issue 19	April 26	May 7	Issue 45	November 1	November 12
Issue 20	May 3	May 14	Issue 46	November 8	November 19
Issue 21	May 10	May 21	Issue 47	November 15	November 29 *
Issue 22	May 17	May 28	Issue 48	November 22	December 3
Issue 23	May 24	June 4	Issue 49	November 29	December 10
Issue 24	June 1 ***	June 11	Issue 50	December 6	December 17
Issue 25	June 7	June 18	Issue 51	December 13	December 24
Issue 26	June 14	June 25	Issue 52	December 20	December 31
Issue 27	June 21	July 2	Issue 1	December 27	January 7, 2000

\* Monday following a state holiday.

\*\* Tuesday following a state holiday.

\*\*\* Since the state holiday is a Monday, the deadline is Noon on Tuesday.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Numbers: Proposed Action:  
310.280 Amend
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a]

- 5) A Complete Description of the Subjects and Issues Involved: In Section 310.280, Designated Rate, the following updates reflect changes that were previously approved by the Governor:

In the Department of Commerce and Community Affairs, the Economic Development Representative II position's annual salary was changed from \$52,032 to \$54,048, effective September 1, 1998. The Public Information Officer IV position's annual salary was changed from \$56,184 to \$59,184, effective August 1, 1998. The Private Secretary II position's annual salary was changed from \$46,188 to \$48,492, effective December 1, 1998. Also, the Public Service Administrator position's annual salary was changed from \$69,528 to \$74,508, effective November 1, 1998.

In the Department of Human Services, the Public Service Administrator position's annual salary was changed from \$67,428 to \$70,464, effective November 1, 1998. The Medical Administrator, Option D position was abolished from the Designated Rate Section, effective October 16, 1998.

In the Department of State Police, the Senior Public Service Administrator position's annual salary was changed from \$104,156 to \$109,358, effective November 1, 1998.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain any incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
APP. A, Table S	Amend	22 Ill. Reg. 20431
310.470	Amend	23 Ill. Reg. 5215
APP. A, Table AA	Amend	23 Ill. Reg. 5300
APP. A, Table H	Amend	23 Ill. Reg. 5300
APP. A, Table J	Amend	23 Ill. Reg. 5300
APP. A, Table O	Amend	23 Ill. Reg. 5300
APP. A, Table R	Amend	23 Ill. Reg. 5300

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

- APP. A, Table W Amend 23 Ill. Reg. 5300
- APP. A, Table X Amend 23 Ill. Reg. 5300
- APP. A, Table Y Amend 23 Ill. Reg. 5300
- APP. A, Table Z Amend 23 Ill. Reg. 5300
- 10) Statement of Statewide Objectives: These amendments to the Pay Plan pertain only to State employees subject to the Personnel Code and do not set out any guidelines that are to be followed by local or other jurisdictional bodies within the State.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Mr. Michael Murphy  
Department of Central Management Services  
Division of Technical Services  
504 William G. Stratton Building  
Springfield, Illinois 62706  
217/782-5601

- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None. The Department of Central Management Services' Pay Plan extends only to Personnel Code employees under the jurisdiction of the Governor.

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1999

The full text of the proposed amendment begins on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND  
POSITION CLASSIFICATIONS

## CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310  
PAY PLAN

## SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 1999
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

## SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Innate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

## SUBPART C: MERIT COMPENSATION SYSTEM

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 1999
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

## APPENDIX A

TABLE A	Negotiated Rates of Pay
TABLE AA	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)
TABLE B	NR-316 (Department of Natural Resources, Teamsters)
TABLE C	HR-200 (Department of Labor - Chicago, Illinois - SEIU)
TABLE D	RC-069 (Firefighters, AFSCME) (Repealed)
TABLE E	HR-001 (Teamsters Local #726)
TABLE F	RC-020 (Teamsters Local #330)
TABLE G	RC-019 (Teamsters Local #25)
TABLE H	RC-045 (Automotive Mechanics, IFPE)
TABLE I	RC-006 (Corrections Employees, AFSCME)
TABLE J	RC-009 (Institutional Employees, AFSCME)
TABLE K	RC-014 (Clerical Employees, AFSCME)
TABLE L	RC-023 (Registered Nurses, INA)
TABLE M	RC-008 (Boilermakers)
TABLE N	RC-110 (Conservation Police Lodge)
TABLE O	RC-010 (Professional Legal Unit, AFSCME)
TABLE P	RC-028 (Paraprofessional Human Services Employees, AFSCME)
TABLE Q	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)
TABLE R	RC-033 (Meat Inspectors, IFPE)
TABLE S	RC-042 (Residual Maintenance Workers, AFSCME)
TABLE T	HR-012 (Fair Employment Practices Employees, SEIU)
TABLE U	HR-010 (Teachers of Deaf, IPT)
TABLE V	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
TABLE W	CU-500 (Corrections, Meet and Confer Employees)
	RC-062 (Technical Employees, AFSCME)

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX H	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 1999
APPENDIX C	Medical Administrator Rates for Fiscal Year 1999
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 1999
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 1999

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; peremptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; peremptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; peremptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Reg. 648, effective December 22, 1986; peremptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; peremptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; peremptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; peremptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; peremptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; peremptory amendment 11 Ill. Reg. 17919, effective October 19, 1987; peremptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; peremptory amendment at 12 Ill. Reg. 3811, effective January 27, 1988; peremptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; peremptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; peremptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; peremptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; peremptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; peremptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; peremptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; peremptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; peremptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; peremptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; peremptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; peremptory amendment at 15 Ill. Reg. 663,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; peremptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2380, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; peremptory amendment at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: SCHEDULE OF RATES

## Section 310.280 Designated Rate

The rate of pay for a specific position or class of positions where it is deemed desirable to exclude such from the other requirements of this Pay Plan shall be only as designated by the Governor.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF PROPOSED AMENDMENT

Department of Commerce & Community Affairs

Economic Development Representative II  
(Pos. No. 12932-42-35-110-10-02)

Annual Salary  
54,048 51,912

Private Secretary II

Pos. No. 34202-42-00-000-01-02)

Annual Salary  
48,492 46,188

Public Information Officer IV

(Pos. No. 37004-42-00-005-10-01)

Annual Salary  
59,184 56,184

Public Service Administrator

(Pos. No. 37015-42-35-140-20-01)

Annual Salary  
74,508 69,528

Department of Insurance

Senior Public Service Administrator

(Pos. No. 40070-14-00-000-00-06)

Annual Salary  
100,992

Department of Human Services

Medical Administrator I, Option D

(Pos. No. 26401-10-79-006-00-21)

Annual Salary  
142,368

Medical Administrator II, Option B

(Pos. No. 26401-10-81-903-10-22)

Annual Salary  
131,250

Public Service Administrator

(Pos. No. 37015-10-23-100-30-01)

Annual Salary  
70,464

(Pos. No. 37015-10-23-200-00-42)

67,428

Senior Public Service Administrator

(Pos. No. 40070-10-81-920-00-21)

Annual Salary  
105,480

Department of Natural Resources

Administrative Assistant II

(Pos. No. 00502-12-30-000-20-01)

Annual Salary  
50,520

Department of State Police

Senior Public Service Administrator

(Pos. No. 40070-21-10-000-00-01)

Annual Salary  
109,358 104,151

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Eligibility
- 2) Code Citation: 89 Ill. Adm. Code 682
- 3) Section Numbers: 682.300  
Proposed Action: Amended
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3]
- 5) A Complete Description of the Subjects and Issues involved: This amendment adds a provision to this rulemaking to prohibit an individual from receiving services through the Home Services Program if they are receiving a stipend from DCS for disabilities of children from the DCFS adoption or foster care services.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives (if applicable): This rulemaking does not create or expand a State mandate.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register*. All requests and comments should be submitted in writing to:  
  
Ms. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor, Harris Bldg.  
Springfield IL 62762  
(217) 785-9772  
  
If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.
- 12) Initial Regulatory Flexibility Analysis:  
A) Types of small businesses, small municipalities and not for profit corporations affected: None

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary form compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1999

The full text of the Proposed Amendment(s) begins on the next page:

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 682  
ELIGIBILITY

## SUBPART A: GENERAL APPLICABILITY

Section  
682.10 General Applicability

## SUBPART B: NON-FINANCIAL ELIGIBILITY CRITERIA

Section  
682.100 General Eligibility Criteria

## SUBPART C: FINANCIAL ELIGIBILITY CRITERIA

Section  
682.200 Assets Limitation  
682.210 Transfer of Assets  
682.220 Exempt Assets  
682.230 Assets Held in Joint Ownership  
682.240 Income Allowances  
682.250 Cost Sharing Provisions  
682.260 General Exceptions to Cost Share Provisions

## SUBPART D: EFFECT OF OTHER SERVICES ON HSP

Section  
682.300 Effect of Other Services on HSP

## SUBPART E: REDETERMINATION OF ELIGIBILITY

Section  
682.400 Redetermination Requirements  
682.410 Redetermination Time Frames

## SUBPART F: GRANDFATHERING PROVISIONS

Section  
682.500 Exceptions to Eligibility Standards  
682.510 Exceptions to Cost Sharing Provisions  
682.520 Exceptions to Service Cost Maximums

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF PROPOSED AMENDMENTS

**SOURCE:** Adopted at 19 Ill. Reg. 5070, effective March 21, 1995; amended at 20 Ill. Reg. 6307, effective April 18, 1996; amended at 20 Ill. Reg. 15749, effective December 3, 1996; recodified from the Department of Rehabilitation Services to the Department of Human Services at 21 Ill. Reg. 9325; amended at 22 Ill. Reg. 2226, effective January 12, 1998; amended at 23 Ill. Reg. 3981, effective March 19, 1999; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: EFFECT OF OTHER SERVICES ON HSP

**Section 682.300 Effect of Other Services on HSP**

- a) A customer cannot receive services through the HSP if he/she is receiving services through any other agency's home care program if that agency will seek reimbursement for those services through a Medicaid Waiver.
- b) A customer receiving services through a program described in subsection (a) above must terminate those services prior to the time any services may be provided through the HSP, pursuant to Medicaid regulations.
- c) An individual cannot receive services through HSP if he or she is receiving a stipend from the Illinois Department of Children and Family Services (DCFS) for the exceptional care needs of children with disabilities in the DCFS adoption or foster care services.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Duck, Goose and Coot Hunting
- 2) Code Citation: 17 Ill. Adm. Code 590
- 3) Section Numbers: Proposed Action:  
 590.10 Amendment  
 590.20 Amendment  
 590.40 Amendment  
 590.50 Amendment  
 590.60 Amendment  
 590.80 Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to add new regulations concerning shot size, update statewide regulations, open and close sites to hunting, and update site-specific regulations.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?  
 No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 40 days following publication of this notice to:
- Jack Price  
 Department of Natural Resources  
 524 S. Second Street  
 Springfield IL 62701-1787  
 217/782-1809
- 12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:  
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.

The full text of the Proposed Amendment begins on the next page:

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER b: FISH AND WILDLIFE

## PART 590

## DUCK, GOOSE AND COOT HUNTING

Section	Statewide Regulations
590.10	Duck, Goose and Coot General Hunting Regulations on Department-Owned
590.15	and -Managed sites Listed in Sections 590.40 and 590.50
590.20	Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
590.25	Illinois Youth Waterfowl Hunting Permit Requirements
590.26	Illinois Youth Duck Hunting Permit Requirements (Repealed)
590.30	Duck, Goose and Coot General Hunting Regulations on all
	Department-Owned and -Managed Sites (Repealed)
590.40	Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.50	Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.60	Various Other Department Sites - Duck, Goose and Coot Hunting
590.70	Ohio River
590.80	Early and Late Goose (all species) Hunting Regulations on Department
	Sites

## EXHIBIT A The Non-Toxic Shot Zones of Illinois (Repealed)

**AUTHORITY:** Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

**SOURCE:** Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; emergency expired March 3, 1984; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; emergency expired February 23, 1987; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENT

expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Reg. 13209, effective September 11, 1995; amended at 20 Ill. Reg. 754, effective December 29, 1995; recodified by changing agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12417, effective August 30, 1996; amended at 21 Ill. Reg. 578, effective December 30, 1996; amended at 21 Ill. Reg. 11713, effective August 12, 1997; amended at 22 Ill. Reg. 2182, effective January 2, 1998; amended at 22 Ill. Reg. 15961, effective August 24, 1998; amended at 22 Ill. Reg. 21881, effective December 3, 1998; emergency amendment at 23 Ill. Reg. 3092, effective March 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## Section 590.10 Statewide Regulations

- a) Pursuant to Section 2.18 of the Wildlife Code [520 ILCS 5/2.18], it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20 and 21) (collectively referred to in this Part as federal regulations) (no incorporation in this Part includes later amendments or editions), or contrary to any State regulations made in the Wildlife Code.
- b) The regulations in Section 2.33 of the Wildlife Code on illegal

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- devices shall apply to this rule, unless federal regulations are more restrictive.
- c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this Part are more restrictive.
- d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations.
- e) It shall be unlawful to possess any shotgun shell loaded with a shot size larger than bismuth BBB, tungsten-iron BB, or tungsten-polymer BB, tungsten-matrix BB, or tin BBB (if authorized via Federal Register) when attempting to take waterfowl.
- f) Emergency Closure  
The Department of Natural Resources (Department or DNR) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis.
- g) Closed Areas  
Closed areas, including waterfowl refuges and rest areas, may be designated at certain sites in accordance with 17 Ill. Adm. Code 510. Boundaries of these closed areas will be posted.
- h) Commercial Migratory Waterfowl Hunting Area Permits  
1) The holder of a permit shall forward information on harvest and hunters to the Department, by phone or on forms furnished by the Department, at times required by the Department. The Department shall give the permit holder reasonable written notice of the dates reports are required. Failure to timely supply such reports will make the permit holder subject to revocation of his permit and suspension of the privilege to hold the permit for up to 5 years.
- 2) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that not more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time during the Canada goose season.
- 3) The Department may assign the maximum potential Canada goose harvest (number registered pits x 5 hunters x Canada goose bag limit) to the cumulative quota zone harvest for each day a club is late in reporting.
- i) Waterfowl Hunting Zones:  
1) North Zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.  
2) Northern Illinois Quota Zone - DuPage, Kane, Lake, and McHenry counties, and those portions of LaSalle and Will counties north of I-80.

## DEPARTMENT OF NATURAL RESOURCES

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3) Central Zone - That portion of the State south of the northern zone boundary to the Modoc Ferry route on the Mississippi River and east along the Modoc Ferry Road to Modoc Road to St. Leo's Road to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east along U.S. Interstate 70 to the Bond County line, north and east along the Bond County line to Fayette County, north and east along the Fayette County line to Effingham County, east and south along the Effingham County line to U.S. Interstate 70, then east along U.S. Interstate 70 to the Indiana border.

4) Central Illinois Quota Zone - Calhoun, Cass, Fulton, Jersey, Knox, Mason, Morgan, Peoria, Pike, Tazewell, and Woodford counties, as well as those portions of LaSalle, Grundy, and Will counties south of I-80.

5) South Zone - From the southern boundary of the Central Zone south to the remainder of the State.

6) Rend Lake Quota Zone - all lands and waters in Franklin and Jefferson Counties.

7) Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, DuPage, Grundy, Kane, Kendall, Lake, McHenry and Will.

8) Southern Illinois Quota Zone - Alexander, Union, Williamson, and Jackson Counties.

j) No person during the open season shall take or attempt to take wild geese in the Rend Lake Canada Goose Quota Zone and Southern Illinois Quota Zone except between legal opening and the hour of 3:00 p.m. except during the last three days of the Canada goose season and during any goose seasons that occur after the Canada goose season, hunting hours shall close at sunset daily, and during any Canada Goose Season set in September, hunting hours shall close daily at sunset and, during special light goose seasons as indicated in subsection (n), hunting hours shall close at one-half hour after sunset daily.

k) On any property where the principal waterfowl harvest is wild geese in the Rend Lake Quota Zone and the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time during the Canada goose season.

l) The following apply in the Northern and Central Illinois Quota Zones:

- 1) It is unlawful to hunt Canada geese during seasons after September 15 without having in possession a current season's permit to hunt Canada geese, unless exempt from a State waterfowl stamp. Such permits are not transferable and are not valid unless they contain the hunter's name, signature, date of birth, and the same State waterfowl stamp number that is on the State waterfowl stamp that is signed by the hunter or affixed to his/her license.

2) Immediately upon taking possession of a harvested Canada goose, hunters must mark with indelible ink, punch or slit the Permit to

## DEPARTMENT OF NATURAL RESOURCES

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Hunt to indicate the date of kill (one date for each goose harvested) and zone where killed.

3) Hunters must report their kill on the same calendar day the geese are taken ~~within 24 hours~~ by calling 1-800-WETLAND (938-5263). Hunters must report the number of geese taken, date and zone where taken.

m) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take ducks, geese or coots. Instructions for registering are provided with issuance of hunting license.

n) If 50 CFR 20 or 21 allows light goose seasons to be liberalized, snow geese, blue geese and Ross' geese may be taken in accordance with federal regulations regarding hunting hours, method of taking and bag limits through March 31.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

a) Sites covered in this Section, which allow hunting by permit only, are:

Banner Marsh Fish and Wildlife Area ~~(for the 1998-1999 season permits will be issued through random daily drawings at the site at 5:00 a.m. and the permit requirements in subsections (b)(1) and (b)(5) do not apply)~~

Sangchris Lake State Park subimpoundment

Snake Den Hollow State Fish and Wildlife Area

Union County Conservation Area

b) Permit Requirements

1) Permit reservations shall be accepted starting in September. Initial acceptance dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Applicants making reservations will be sent confirmation.

2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the

## DEPARTMENT OF NATURAL RESOURCES

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land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5/3.8].

- 3) The permit shall be for the use of the entire blind. It shall be the responsibility of the permit holder to bring one partner (two persons per blind) for Snake Den Hollow State Fish and Wildlife Area and Union County, or three partners (four persons per blind) for Banner Marsh and Sangchris Lake State Park subimpoundment. Unfilled blinds shall be filled by a drawing at the sites.

- 4) Permits are not transferable.
- 5) Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to:

Illinois Department of Natural Resources

Permit Office - Waterfowl

P.O. Box 19457

Springfield, IL 62794-9457

## c) General regulations

- 1) All use other than permit hunting is prohibited at Snake Den Hollow from October 1 through close of Fulton-Knox County goose season.

- 2) Hours, Permits and Stamp Charges

- A) Hunting hours are from legal opening time until 1:00 p.m.
- B) At Snake Den Hollow from opening day through December 14, hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. From December 15 through the close of goose seasons, hunters with permit reservations are required to check in at the check station between 5:00 a.m. and 5:30 a.m. Permits are void after 5:30 a.m. At Banner Marsh, Fish and Wildlife Area and Union County Conservation Area hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites. At Sangchris Lake State Park subimpoundment hunters must be checked in 90 minutes before legal hunting hours (2 hours before sunrise). Permits are void after this time.

- C) A \$15 Daily Usage Stamp must be purchased at Snake Den Hollow State Fish and Wildlife Area and Union County Conservation Area.

- D) A \$10 Daily Usage Stamp must be purchased at Banner Marsh Fish and Wildlife Area and Sangchris Lake State Park subimpoundment.

- 3) Hunting shall be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

## DEPARTMENT OF NATURAL RESOURCES

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- 4) Guns must be unloaded and encased at all times when not hunting.
- 5) The legal hunting season for Union County Conservation Area is the dates of the Quota Zone goose hunting season except that the areas shall be closed on Mondays and December 24, 25, 26 and the first weekday after December 26 other than a Monday. (This site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to Section 590.125.)

- 6) The legal hunting season at Snake Den Hollow is the dates of the Central Zone ~~Fulton-Knox~~ County goose hunting zone except that the area shall be closed on Tuesdays, Wednesdays, and December 24, 25 and 26.

- 7) The legal hunting season at Banner Marsh is the dates of the central zone duck hunting season.

- 8) The legal hunting season for the Sangchris Lake subimpoundment is the opening day of the Central Zone Duck Hunting Season, Tuesdays, Saturdays and the last day of the Central Zone Duck Hunting Season.

- 9) Hunters may not possess more than 10 shot shells at Union County Conservation Area and Snake Den Hollow.

- 10) Hunters without their guns may leave the blind to retrieve crippled waterfowl at Union County Conservation Area.

- 11) Hunters must be at least 16 years of age (except for the Illinois Youth Goose/Duck Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) The sites listed in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in parentheses and in the remainder of this Section. Daily hunting hours close at 1:00 p.m. unless otherwise indicated in parentheses below.

- 1) Anderson Lake Conservation Area - All Management Units (previous years blind builders shall have until February 1 to salvage blind materials)
- 2) Batchtown (3:30 p.m. closing; Central Standard Time (CST)) (3 year blind allocation period)
- 3) Calhoun Point (3:30 p.m. CST closing) (3 year blind allocation period)
- 4) Glades (3:30 p.m. CST closing) (3 year blind allocation period)
- 5) Godar-Diamond (3:30 p.m. CST closing) (3 year blind allocation period)

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- 6) Horseshoe Lake - Madison County (3:30 p.m. CST closing; 3 year blind allocation)
  - 7) Lake DePue
  - 8) Marshall County Conservation Area - (previous years blind builders shall have until February 1 to salvage blind materials) - Spring Branch Unit
  - 9) Mazonia State Fish and Wildlife Area (previous years blind builders shall have until February 1 to salvage blind materials; goose hunting prohibited before and after duck season; closed Mondays and Tuesdays)
  - 10) Rice Lake Conservation Area (previous years blind builders shall have until February 1 to salvage blind materials)
  - 11) Sanganois State Fish and Wildlife Area (check station and walk-in areas, hunters are not required to hunt from a blind site during goose seasons held after the duck season)
  - 12) Spring Lake (previous years blind builders shall have until February 1 to salvage blind materials; during the waterfowl season, the maximum horsepower limit for outboard motors on the lake is 25 h.p.; no goose hunting prior to duck season)
  - 13) Stump Lake (3 year blind allocation period; 3:30 p.m. CST closing)
  - 14) Woodford County Fish and Wildlife Area (previous year's blind builders have until February 1 to salvage blind materials)
  - 15) William Powers Conservation Area (legal closing) (previous years blind builders shall have until May 1 to remove blinds in their entirety, including support posts; failure to comply will result in the blind builder and partners for that blind losing privilege of being a blind builder or partner at this site for the following year; no goose hunting prior to duck season; hunting from boat blinds is permitted within 10 feet of the following numbered marked blind sites: 4, 5, 7, 8, 11, 12, 14, 16, 17, 18, 19, 20, 21, 22, 23; all hunters must check in prior to occupying blind and must check out no later than one hour after legal closing time)
- b) The following regulations apply to all sites listed in this Section under subsection (a):
- 1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, when the check station is not operating, unclaimed blinds shall be allocated on a first come-first served basis, as per Section 590.50(b)(1), (2) and (3). Goose hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
  - 2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before hunting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their

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- daily hunt must report back to the check station for reassignment.
- 3) All hunting must be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.
  - 4) All hunters must be checked out within one hour of the close of the legal hunting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards shall be returned.
  - 5) It shall be unlawful to trespass upon the designated duck hunting area during the 7 days prior to the regular duck season as posted at the site. At Mississippi River Area Pools 25 and 26 it shall be unlawful to trespass upon the designated duck hunting area between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season as posted at the site.
  - 6) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of regular duck season through the close of regular duck and Canada goose season.
  - 7) No more than 4 persons shall occupy a blind at one time, except on the statewide Youth Waterfowl Hunting Day as authorized in Section 590.15(f). 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide.
  - 8) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
  - 9) During duck season, blinds not claimed by the builder or partners by one hour before hunting time shall be assigned by a drawing at this time and during the hours from 8:00 a.m. to 11:00 a.m., except at Batchtown, Calhoun Point, Glades, Godard-Diamond, Horseshoe Lake State Park (Madison County) and Stump Lake (9:00 a.m. - 1:00 p.m.) after which time the area shall be closed to additional hunters.
  - 10) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After this date, all materials become the property of the new blind builder or the Department.
  - 11) For those sites listed in this subsection that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.

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(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting

a) The following sites conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in the remainder of this Section.

Blanding Wildlife Area (Federal Lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters)

Boston Bay (No permanent blinds may be built; temporary blinds only; 200 yards apart)

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blinds must be removed in their entirety, including support posts, by May 1; failure to comply will result in the blind builder and partners for that blind losing the privilege of being a blind builder or partner at this site for the following year)

Clear Lake Wildlife Management Area (blind allocation and hunting procedures will be publicly announced)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period)

Helmhold Slough (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period)

Illinois River - Pool 26 (3 year blind allocation period)

Kankakee River State Park (no boat hide required; no goose hunting permitted prior to duck season; previous years blind builders shall have until February 1 to salvage blind materials)

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Lake DePue Walk-in Unit (daily drawing; 1:00 p.m. closed)

Lake Sinissippi (Department Owned Land; the use of any metal, with the exception of fasteners less than 12 inches in length, will be prohibited in the construction of waterfowl blinds; blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31 and 32 must be removed in their entirety no later than ten days after the close of the northern zone waterfowl season; blinds may be removed beginning November 15; hunting from boat blinds is permitted within 10 feet of marked blind sites beginning November 15 for those blinds removed on or after November 15 blind-numbers-17-27-37-47-137-147-157-167-217-267-277-287-297-307-317-and-32-must-be-removed-in-their-entirety-by-15-days-after-the-close-of-the-duck-season;-blinds-may-be-removed-beginning-November-15;-hunting-from-boat-blinds-is-permitted-within-10-feet-of-marked-blind-sites)

Marshall County Conservation Area - Sparland Unit (Department Owned Land; previous years blind builders shall have until February 1 to salvage blind materials)

Sinissippi River Pool 16 (Federal Lands; no permanent blinds--temporary blinds only above Vellie Chute except for Goose pond, Sunfish Slough, and Milan Bottoms (landward area upriver from River Mile 474); 2 year blind allocation period; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting)

Mississippi River Pool 17 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; two year blind allocation period)

Mississippi River Pool 18 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Pekin Lake (Department Owned Land)

Piasa Island (3 year blind allocation period)

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Quincy Bay (Mississippi River Pool 21) (hunting hours legal opening to 1:00 p.m. for blinds 1 through 25 only)

Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in/boats without motors area only; no permanent blinds; daily hunting hours will close at 3:30 p.m. CST; hunting parties shall not hunt over less than 12 decoys nor more than 24 decoys)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m.)

Redwing Slough/Deer Lake State Natural Area (hunting from boat blinds is permitted within 10 feet of marked blind sites)

Rice Lake Walk-in and Copperas Creek Management Unit (Walk-in or boats without motors only; daily drawing; daily hunting hours will close at 1:00 p.m.)

Riprap Landing (3 year blind allocation period)

Starved Rock State Park (Previous years blind builders shall have until February 1 to salvage blind materials; sign in and sign out to report harvest required)

b) The following regulations apply to all sites listed in this Section under subsection (a).

- 1) Blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first come-first served basis.
- 2) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
- 3) All hunting must be from registered blinds only unless otherwise noted in parentheses under subsection (a).
- 4) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
- 5) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After that date, blinds become the property of the new blind builders.

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6) No more than 4 persons shall occupy a blind at one time, except on the statewide Youth Waterfowl Hunting Day as authorized in Section 590.15(f), 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide, and except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area. On Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area the limit of 4 persons does not apply.

7) For those sites listed in subsection (a) that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished either in person or through the mail during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.

9b) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges two weeks prior to the start of regular duck season through the close of regular duck and Canada goose season as posted at the site.

109) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site. At Mississippi River Area Pools 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding the opening date of waterfowl season through the day before the opening date of waterfowl season as posted at the site.

c) Blind winners on the following sites will be provided forms for the purpose of maintaining waterfowl harvest records. The forms must be completed and returned within 15 days after the close of the site's waterfowl season or the blind builder and partners for that blind shall not be allowed to be a blind builder or partner at these sites for the following year.

Chain O'Lakes State Park

Des Plaines Conservation Area

Kankakee River State Park

Redwing Slough/Deer Lake

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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The sites listed in this Section conform to Statewide Regulations (Section 590.10) and the following regulations, except as noted.

## a) Regulations

- 1) Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated with by (1) following the location in subsection (b).
- 2) No permanent blinds allowed; all blinds must be of a portable nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or dismantled at the end on the day's hunt.
- 3) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of the day's hunt.
- 4) Waterfowl hunters must maintain a distance of 200 yards between hunting parties.
- 5) No hunting is permitted within 200 yards of developed recreation areas, public use facilities, and construction or industrial sites.
- 6) No check station is operated nor is any check in/check out required, except as indicated in the remainder of this Section.
- 7) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of regular duck season through the close of regular duck and Canada goose season except as indicated in the remainder of this Section.
- 8) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the regular duck season as posted at the site.

## b) Site specific regulations

- 1) Cache River State Natural Area (1)
- 2) Campbell Pond Wildlife Management Area (1)
- 3) Carlyle Lake Project Lands and Waters
  - A) No one may enter the subimpoundment area to hunt waterfowl before 4:30 a.m. each day of the waterfowl hunting season, or remain in the area after 3:00 p.m. each day of the waterfowl hunting season, except during the last 3 days of the Canada goose season and during any goose seasons that occur before or after Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4 and within the impoundments on the East Side Management Area located east of the Kaskaskia River.
  - B) The waters of Carlyle Lake are defined as the lake and that portion of the Kaskaskia River, northfork, eastfork, Peppenhorst Branch and Allen Branch north of the buoys only,

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and Hurricane Creek that are within the boundaries of the Carlyle Lake property.

- C) Walk-in hunting shall be permitted in subimpoundment areas. Boats with no motors are allowed in the subimpoundments. Department of Natural Resources personnel will designate boat launching locations.

- D) When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Natural Resources personnel shall post that the area is open to boats with motors of 10 HP or less and will designate boat launching locations.

- E) In the subimpoundment areas, compartment 4 will be a waterfowl rest area during the entire waterfowl season. No hunting within 50 yards of rest area signs on E and F levees which contain subimpoundment 4 is permitted. No trespassing will be allowed, except for hunters boating through the area on the Kaskaskia River along F levee and boaters hunting on Hurricane Creek between C and D levees. At the close of duck hunting season, known eagle protection areas will be posted by the Site Superintendent and will be closed to goose hunting.

- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.

- G) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest accessible registration box. All hunters must sign out and record their harvest daily before they exit the area.

- H) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.

- I) During the last 3 days of Canada goose season and during any goose seasons that occur after Canada goose season, hunting hours shall close at sunset daily.

- 4) Chauncey Marsh (1) Permit required, may be obtained at Red Hills State Park Headquarters and must be returned by February 15.

- 5) Clinton Lake (1)

- A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season shall be forfeited.

- B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and

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the southern-most point of the central peninsula to the Davenport Bridge.

- C) No more than 4 persons shall occupy or use a portable boat blind.
- D) Each hunting party is required to hunt over a minimum of 12 decoys.
- E) No hunting is permitted within 300 yards of power lines.

## 61) Coffeen Lake State Fish and Wildlife Area

A) Hunters must obtain a free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of the following year or hunting privileges for the following season will be forfeited.

- B) Hunting from staked sites only.
- C) No permanent blinds.
- D) Hunting by boat access only.
- E) No cutting vegetation on site.
- F) Hunting north of railroad tracks only.
- G) Hunting hours from legal opening to 1 p.m. Fishing allowed between the railroad tracks and the county road after 1:00 p.m.

## H) Four hunters per blind site.

I) No hunting during firearm deer seasons.

- 76) Cypress Pond State Natural Area (hunters must sign in prior to hunting and sign out reporting harvest at the end of each day)

(1)

- 87) Dog Island Wildlife Management Area (1) Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.

## 98) Donnelley State Wildlife Area

A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 except as indicated in Section 590.25.

- B) Hunting hours start at sunrise.

C) Goose hunting is prohibited after the close of the duck season.

- D) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.

E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds.

- F) \$10 daily usage stamp must be purchased to hunt this area.
- G) No outboard motors are allowed by public - only by authorized DNR personnel.

H) No more than 3 persons shall occupy a blind at any one time, except on the statewide Youth Waterfowl Hunting Day as authorized in Section 590.15(f). 5 persons may occupy a blind at one time only if the party is comprised of 2 youth

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hunters, their non-hunting parents and one non-hunting guide.

- I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 2:00 p.m.

J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.

- K) The first weekend and the third Saturday of the regular duck season shall be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.

- L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).

## 109) East Conant Field

Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15.

## 11) Fort de Chartres Historic Site (1)

- A) Hunting is allowed from anchored, portable boat blinds only on a first come-first served basis.

- B) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.

- C) No hunting is allowed during firearm deer season.

## 12) Fox Ridge State Park (1)

Hunting restricted to Embarras River and its flood waters.

## 11) Fort de Chartres-Historic Site-(1)

- A) Hunting is allowed from anchored, portable boat blinds--only on a first come-first served basis.

- B) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.

- C) No hunting is allowed during firearm deer season.

## 13) Fox River

- A) Waterfowl hunting is prohibited on that portion of the Fox River running from the Kendall-Kane County line downstream to a line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive.

B) Waterfowl hunting shall be from Department designated sites only on that portion of the Fox River downstream from the line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive downstream to the Fox River Drive Bridge. Hunting at the designated sites will be on a first come-first served basis.

## 14) Freeman Mine

Hunting regulations will be publicly announced.

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1513) Heidecke State Fish and Wildlife Area, Braidwood Fish and Wildlife Area and Powerton Lake

A) Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

B) Blind sites not selected during the drawing shall be allocated on a first come-first served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.

C) Access to water blind sites must be by boat only and from designated boat launch sites.

D) All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind.

E) Upon vacating blind sites, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.

F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.

G) Heidecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to regular duck season until the close of the regular duck and Canada goose season. Powerton Lake shall be closed to boat traffic from 7 days prior to opening of regular duck season until February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the regular duck season.

H) No hunting on Monday and Tuesday at Heidecke and Braidwood Lakes. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on State holidays.

I) It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor.

J) No guns may be carried from water blinds to retrieve waterfowl that fall on land.

K) Hunting is closed on Christmas Day and New Year's Day.

L) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by

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authorized personnel.

M) It is unlawful to shoot across any dike.  
N) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood Lakes waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.

1514) Horseshoe Lake (Alexander County) Daily Drawing Waterfowl Hunting Area Only

A) Waterfowl hunting shall be permitted only during goose season, except that no hunting is allowed on Mondays, Tuesdays or December 24, 25, 26 and on the day of the Youth Goose Hunt (this site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to Section 590.25).

B) Hunting shall be done from assigned blinds only.

C) A daily drawing for assigned blind sites will be held at 5:00 a.m. at the check station each day hunting is allowed. For the drawing, hunters must register as a party; no more than two people per party are permitted.

D) Hunters must deposit their license prior to going to their blinds.

E) Hunters must park in assigned, designated areas only.

F) Hunters must hunt over a minimum of 12 Canada goose decoys.

G) Hunters must return to the check station and report their harvest by 2:00 p.m.

H) Hunters may not possess more than 10 shot shells.

I) Hunters cannot move from blind to blind, nor leave the assigned blind to shoot crippled geese; hunters may leave the assigned blind to retrieve crippled geese, but must leave their guns in the blind.

1715) Horseshoe Lake (Alexander County) Public Hunting Area

A) Closed to waterfowl hunting on Mondays and Tuesdays.

B) When duck season is closed, goose hunters may not possess more than 10 shot shells.

1816) Horseshoe Lake Refuge (no hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1)

1917) Kaskaskia River Fish and Wildlife Area

A) No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.

B) All waterfowl hunting parties must use at least 12 decoys. Hunting is allowed on a first come-first served basis.

C) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.

D) All waterfowl hunters must register prior to hunting each

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day of the waterfowl season at the nearest check station, and must sign out and record their harvest daily before they exit the area.

- E) The following regulations apply to the Doza Creek Waterfowl Management Area:

- i) No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
- ii) Only waterfowl, coot, archery deer and fall archery turkey hunting (as provided by 17 Ill. Adm. Code 670 and 720) allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the second firearm deer season occurs after duck season.

2020b) Kinkaid Lake Fish & Wildlife Area (1)

21a9) Lake Shelbyville (except for land/waters covered in subsection (b)(22)(f) of this Section) (1)

- 2220) Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area  
A) Waterfowl hunting shall be permitted as described below except in duly posted restricted and "No Hunting" areas.

- B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties must register for drawings between 3:00 a.m. and 4:00 a.m. Central Standard Time at the check station on those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons, except on the statewide Youth Waterfowl Hunting Day as authorized in Section 590.15(f), 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide. In addition, the following regulations shall apply:

- i) All parties must hunt within 10 yards of their assigned stake.
  - ii) All parties must be in place by one-half hour before hunting time.
  - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first come-first served basis except as noted in subsections (b)(22)(f)907(A) and (B) above. Hunting in the Fish Hook Area shall be restricted to designated, staked sites on a first come-first served basis until the opening

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of the Illinois southern zone duck season, except as noted in subsections (b)(22)(A) and (B) above. A hunting party must hunt within 10 yards of the stake.

- D) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.

- E) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.

- F) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.

- G) During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.

- H) A free permit is required, which is obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at this site for the following year.

232a) Meredosia Lake - Cass County Portion Only (meandered waters only)

- A) All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) from the period from one week before waterfowl season opens until the season closes.

- B) Hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes.

2422) Mermet

- A) Waterfowl hunting shall be permitted only during the duck hunting season.

- B) Hunting is allowed in both the walk-in and blind areas only. Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.

- C) The daily drawing shall be held one hour prior to legal

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- opening time.
- D) All members of the hunting party shall register as a group (not to exceed 4 persons per group, except on the statewide Youth Waterfowl Hunting Day as authorized in Section 590.15(f)). 5 persons may occupy a blind at one time only if the party is comprised of 2 youth hunters, their non-hunting parents and one non-hunting guide) for the purpose of the drawing.
- E) Those hunters in the blind area shall park in designated areas. These parking areas shall be numbered to correspond with particular blind sites located along the levee road.
- F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.
- G) Boats without motors may be used in the walk-in areas.
- H) No hunting Christmas Day.
- 2523) Newton Lake Fish and Wildlife Area
- A) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct drawing) shall be allocated on a first come-first served basis.
- B) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.
- C) Upon vacating their blinds, hunters must place their completed harvest cards in the collection box located at the boat ramp.
- D) There will be duly posted waterfowl refuges. These areas shall be closed to all boat traffic and boat fishing during the waterfowl season.
- E) No more than 4 persons shall occupy a blind at one time.
- F) The west arm of the lake shall be closed to all waterfowl hunting.
- G) Blind sites shall be determined by the Department of Natural Resources and marked with numbered stakes. When it is deemed necessary, the Department shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- H) Hunters wishing to move to another blind location may do so, providing they include the blind change on the harvest card and report their kill for each blind.
- I) Access to blind sites shall be by boat only and from the west side boat ramps.
- J) All hunting must be from one portable blind or one anchored portable boat blind located within a numbered cove and between the assigned numbered stakes.
- K) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However,

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- no gun may be carried while attempting to recover such birds.
- L) No pits or blinds shall be built on State lease Ameren/CIPS land.
- M) Blind site: A position between two like numbered stakes where a blind may be located.
- N) Fishing shall be prohibited in the east arm of the lake during the waterfowl season.
- O) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.
- P) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- Q) This site is closed to all users except firearm deer hunters during the firearms deer seasons.
- 2624) Oakford Conservation Area (1)
- 2725) Ray Norbut State Fish and Wildlife Area (1)
- Statewide season regulations apply except that the season closes December 15 in Eagle Roost Area, or the legal statewide closing, whichever is earlier.
- 2826) Rend Lake Project Lands and Waters
- A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, and during any goose season occurring after the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.
- B) No hunting permitted from the subimpoundment dams.
- C) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.
- D) All boat traffic is prohibited from entering the subimpoundments from 1 week before waterfowl season until opening day of waterfowl season.
- E) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
- F) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:
- i) During goose season, a separate drawing will be held for the 4 pits at Whistling Wings. This drawing will be held at the Cottonwood check station following the drawing for staked hunting sites. Hunters may not register for more than one drawing per day. Unsuccessful hunters in the drawing for Whistling Wings pits may select any unclaimed staked location after the drawings.

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- ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
- iii) All hunters must have the registration card from the check station in their possession while hunting.
- iv) Hunters must occupy the pit they have drawn by legal shooting time. If a pit is not occupied by legal shooting time, another party who has registered at the check station may occupy the unclaimed pit.
- v) No more than 6 dozen decoys may be used per pit.
- vi) No more than 4 hunters will be allowed in a pit or hunting party.
- G) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- H) During the last 3 days of Canada goose season and during any goose seasons occurring after Canada goose season, hunting hours shall close at sunset daily.
- I) The land portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:
  - i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
  - ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
  - iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
  - iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
  - v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
  - vi) Bounded on Nason Point by refuge boundary signs at project limits.
- J) After the close of regular duck season, goose hunters may not possess more than 10 shot shells.
- K) Staked Hunting Areas - Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:
  - i) All hunting must occur within 10 yards of an assigned, numbered stake and only one hunting party may occupy a staked site at any given time.
  - ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November, 4:30 a.m. in December and 5:00 a.m. in January. Check stations will be open from 1/2 hour before drawing time to 9:30 a.m. daily.
  - iii) Check station at the Bonnie Dam Access Area will be operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check

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- station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood Hunting Areas. Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than 5 persons shall be in a hunting party.
- iv) Hunters arriving at the check station after the draw may enter the staked area only if it is one hour prior to shooting time or between 9:00 a.m. and 9:30 a.m. All hunters must register at the check station.
  - v) When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first come-first served basis. Hunters must occupy the stake they have drawn by legal shooting time.
  - vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
  - vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.
- 2927) Saline County Conservation Area (1)  
 A) Waterfowl hunting is allowed north of the township road only.  
 B) Walk-in hunting only.  
 C) Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.
- 3020) Sand Ridge State Forest (Mud Turtle State Natural Area) (1)  
 A) Hunting is permitted on Tuesdays and Saturdays during the duck season. Permits are issued on a first come-first served basis.  
 B) Two hunters are allowed per blind. At least one hunter must have a P-2 handicapped certification.  
 C) Hunters must report harvest to site office.
- 3129) Sanganois State Fish and Wildlife Area  
 A) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.  
 B) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.  
 C) All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before

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proceeding to area.

D) The Baker tract is a daily-draw walk-in area with 4 separate hunting compartments. One party of hunters (up to 4 hunters per party) will be permitted to hunt in each hunting compartment. The allocation of the 4 Baker tract hunting compartments will be by daily draw as part of the site's daily draw vacant blind allocation. Parties must register for the draw together on the same card.

EB) Upon the completion of hunting, hunters must report to the check station within one hour.

FB) Fishing is prohibited in the impoundment areas during the duck season, except that walk-in only access for fishing from the bank is permitted after 1:00 p.m.

GF) No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.

H6) No person shall trespass on the Marion-Pickrel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.

IH) When the central zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind.

All hunting must be conducted within non-refuge areas.

JF) No hunting permitted from the walk-in area subimpoundment levee.

KJ) Hunters may use boats without motors in the walk-in area; the construction and/or use of permanent blinds in the walk-in area is prohibited.

### 3230) Sangchris Lake State Park

A) During the last 3 days of the regularly scheduled Canada goose season, hunting hours will close at statewide closing.

B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first come-first served basis. (During that portion of the Canada goose season which follows the duck season, the west side goose pit area, the west arm blind sites and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)

C) During that portion of the light goose season which follows the regular Canada goose season, the west-side goose pit area blinds, subimpoundment blinds, and designated fields west of the west boat ramp shall be available daily on a first come-first served basis. Hunters must sign in at the

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appropriate parking area no earlier than 5 a.m. During that portion of the goose season which follows the regular Canada goose season, the west-side goose pit area blinds shall be available for goose hunting on a daily basis. These west-side goose pit area blinds shall be allocated via a mail-in drawing from the office. Blinds not occupied one hour before shooting time shall be available on a first come-first-served basis. All hunters must sign in at designated parking spots. Hunters may not possess more than 5 shells for each snow goose allowed in the daily bag limit. All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.

Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.

F) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(32)(907(J)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.

G) No more than 4 persons shall occupy a blind at one time.

H) The center arm of the lake shall be closed to all waterfowl hunting.

I) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.

J) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

K) Access to water blind sites shall be by boat only and from designated boat launch sites. Blinds on the peninsula subimpoundment shall be accessed on foot once the hunter has reached the peninsula by boat. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when conditions warrant.

L) All hunting must be from 1 portable blind or 1 anchored portable boat blind located within a numbered cove and between the assigned numbered stakes or from 1 Department designated blind or pit.

M) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.

N) No unauthorized pits or blinds shall be built on State

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- B) Only walk-in hunting is allowed in the subimpoundment.  
C) Hunting shall be allowed on a first come-first served basis.  
All hunters must use 12 decoys, minimum.  
3836) Ten Mile Creek Fish and Wildlife Area (1)  
A) Waterfowl hunters must obtain permits prior to hunting. Permits must be returned by February 15.  
B) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.  
C) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only. Rest Area designation has been given to that part of the Belle River unit that lies south of Auxier Creek and is posted as Rest Area, and the 250 acre tract at the Western edge of the Eads Mine unit.  
D) After the close of the duck season, goose hunters in that portion of Ten Mile Creek that lies in the Rend Lake Quota Zone may not possess more than 10 shot shells.  
3937) Turkey Bluffs State Fish and Wildlife Area (All hunters must sign in and out and report kill) (1)  
4038) Union County (Firing Line Waterfowl Management Area)  
A) It shall be unlawful to take a gun beyond the posted boundary while retrieving waterfowl crippled-geese.  
B) ~~Baring--goose--season-waterfowl-hunters-may-not-possess-more-than-10-shot-shells-~~  
BE) ~~Goose Baring--goose--season~~ hunting from staked sites only.  
(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

Section 590.80 Early and Late Goose (all species) Hunting Regulations on Department Sites

- a) During goose hunting seasons that begin before or extend beyond the regular duck season, statewide regulations and site specific regulations for goose hunting, as indicated in Sections 590.40, 590.50 and 590.60, shall apply to all sites (except those closed in subsections (c), (d) and (e) with the following exceptions:  
1) Check in and check out (or sign in and out) is required only at sites with an asterisk (\*).  
2) No fees will be charged for hunting for seasons before duck season or for seasons after the regular Canada goose season.  
3) No sites are closed to fishing during seasons before the regular duck season or for seasons after the regular Canada goose season.  
4) Hunting from a completed blind or staked site is waived during seasons held before the regular duck season or for seasons held after the regular Canada goose season at sites marked with an @.  
5) Hunting from a staked site (blind need not be completed) is

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- O) managed land.  
P) Blind sites: A position between two like numbered stakes within a cove or other Department designated site where a blind may be located.  
P) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season.  
Q) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt (except at peninsula subimpoundments where only Department decoys may be used).  
R) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.  
S) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be removed at the end of each day's hunt.  
T) Peninsula-subimpoundment-blinds-will-be-available-on-opening-day--of--duck--season-and-every-Tuesday-and-Saturday-through-the-duck-season:  
T) West-side goose pit area blinds will be available every day each week except Tuesday and Wednesday and-December--24--and-25, through the regular Canada goose season.  
U) Hunters in the west-side goose pit area may not possess more than 10 shot shells.  
3337) Sato Field  
Waterfowl hunters must obtain permit prior to hunting. Permit must be returned by February 15.  
3432) Shawnee National Forest, Upper and Lower Bluff Lakes  
Goose hunting is prohibited.  
3533) Shawnee National Forest, LaRue Scatters  
All hunting must be by walking in or in boats without motors.  
3634) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)  
A) All hunting must be by walking into the area.  
B) Each hunting party must hunt over a minimum of 12 decoys in Compartments 19, 20 and 21.  
C) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the subimpoundment area.  
3735) Stephen A. Forbes State Park  
A) On the main lake hunting is allowed from a boat blind only in the designated areas.

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required during seasons held before the regular duck season at sites marked with a #.

- 6) During goose seasons held prior to regular duck season, no hunting is allowed in designated dove management fields or within 100 yards of such fields.
- 7) During goose seasons held after the Canada goose season all restrictions regarding the use of decoys or the number of shotgun shells that hunters can possess are no longer in force.
- 8) During goose seasons held after Canada goose season, statewide hunting hours apply.

- b) The following sites will be opened to all goose hunting seasons:

Blanding Wildlife Area @

Cache River Natural Area \*

Carlyle Lake Project Lands and Water \*

Chain O'Lakes State Park #

Chauncey Marsh (permit required, available at Red Hills State Park)

Des Plaines Conservation Area #

Dog Island Wildlife Management Area \*

Port de Chartres Historic Site

Horseshoe Lake Conservation Area (controlled hunting and public hunting areas) \*

Horseshoe Lake State Park (Madison County) (snow goose season closes February 28) #

Kaskaskia River State Fish and Wildlife Area \*

~~Kidd Lake State Natural Area~~

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville (except West Okaw and Kaskaskia Fish and Wildlife Area; season opens with teal season)

Marshall Fish and Wildlife Area \* @

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) @

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Mississippi River Pools 16, 17 and 18 @

Mississippi River Pools 21, 22, and 24 @

Oakford Conservation Area

Rend Lake Project Lands and Waters @

Saline County Conservation Area \*

Sanganois State Fish and Wildlife Area \* @

Shawnee Forest, LaRue Scatters

Shawnee Forest, Oakwood Bottoms

Sparland Fish and Wildlife Area @ #

Ten Mile Creek Fish and Wildlife Area (permit required; rest areas open to hunting during goose season before and after the regular goose season)

Turkey Bluffs State Fish and Wildlife Area \*

Union County Conservation Area (firing line and controlled hunting area) \*

Woodford Fish and Wildlife Area \* @

- c) The following sites will be open to any goose hunting seasons that occur before the regular duck season through the end of the regular Canada Goose Season:

Anderson Lake (closed after regular duck season) \* @

~~Horseshoe Lake State Park (Madison County) - #~~

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area (must have site specific permit; season opens with teal season)

Ray Norbut State Fish and Wildlife Area \*

Rice Lake (season opens with teal season; sunrise until 1:00 p.m.; closed after regular duck season) \* @

- d) The following sites will be opened to all goose hunting during any Canada goose hunting seasons that occur after the regular duck season:

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Banner Marsh \* @

Braidwood State Fish and Wildlife Area \*

~~Clinton Lake~~

Heidecke State Fish and Wildlife Area \*

Kankakee River State Park

Lake DePue Fish and Wildlife Area \*

Lake Simmsippi Fish and Wildlife Area

Newton Lake Fish and Wildlife Area \*

Pekin Lake Fish and Wildlife Area

~~Sangchris Lake--State Park--\*~~

Spring Lake Fish and Wildlife Area \*

Starved Rock State Park \*

- e) The following sites will be opened to any goose hunting seasons that occur after the regular Canada goose hunting season:

Clinton Lake State Recreation Area (season closes March 15)

Peabody River King State Fish and Wildlife Area \*

~~Sanganois State Fish and Wildlife Area--\*~~

Sangchris Lake State Park \*

Stephen A. Forbes State Park \*

Snake Den Hollow \* @

William W. Powers Conservation Area

- f) The following sites will be closed to all goose hunting seasons that occur outside the regular duck season dates:

Campbell Pond Wildlife Management Area

Donnelley Fish and Wildlife Area

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Mazonia State Fish and Wildlife Area \*

Meredosia Lake (Cass County portion only, meandering waters only)

Mermet Lake Fish and Wildlife Area

Powerton Reservoir

Redwing Slough/Deer Lake

Shawnee Forest, Upper and Lower Bluff Lakes

- g) The following sites will be open to any goose hunting seasons that occur before the regular duck season and after the regular Canada goose season:

Kidd Lake State Natural Area

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of the Part: Surface Mined Land Conservation and Reclamation Act
- 2) Code Citation: 62 Ill. Adm. Code 300
- 3) Section Number:  
 300.210 Amend  
 300.215 Amend  
 300.225 Amend  
 300.235 Amend  
 300.236 Amend  
 300.237 Amend  
 300.239 Amend  
 300.247 Amend

- 4) Statutory Authority: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].

- 5) A Complete Description of the Subjects and Issues Involved: The proposed regulations implement the aggregate blasting program, which was, as of July 1, 1996, a completely new statewide blasting program. Although the blasting program is presently operating efficiently, there are a few areas that need to be amended. Minor adjustments such as these proposed are to be expected after an initial evaluation period.

The proposed amendments involve minor definition changes; allows blasting in crushers at any time; expands opportunities for performance standard waivers; amends license examination timeliness; allows specific blasting experience in lieu of general experience for the two year experience requirements; allows license suspension or revocation for failure to complete remedial action in a Notice of Infraction; and amends the violation process.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendments contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: The proposed amendments will have no impact upon local units of government
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Cindy Bushur-Hallam, Legal Counsel

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Illinois Department of Natural Resources  
 524 South Second Street  
 Springfield, IL 62701  
 (217) 782-1809

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None
- B) Reporting, bookkeeping or other procedures required for compliance: None

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: The Department inadvertently omitted this rulemaking from the last two Regulatory Agenda's.

The full text of the Proposed Amendments begins on the next page:

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TITLE 62: MINING  
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

## PART 300

## SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

## SUBPART A: SURFACE MINED LAND CONSERVATION AND RECLAMATION ACT

## Section

300.10	Introduction
300.20	Permits
300.30	Fees
300.40	Bonds
300.50	Permit Application Requirements
300.60	Role of County Government in Reclamation
300.70	Departmental Consideration of Reclamation Plans
300.80	Public Filing of Approved Plans
300.90	Amendments to Permits
300.100	Reclamation Planning
300.110	General Reclamation Requirements
300.120	Criteria For Types of Land Reclamation
300.130	Reclamation of Gob Disposal Areas and Outside Slopes of All Overburden Deposition Areas
300.140	Reclamation of Slurry Pond Disposal Areas
300.150	Water Impoundment Structures
300.160	Affected Acreage Map
300.170	Violations and Forfeiture
300.180	Bond Release Procedure

## SUBPART B: USE OF EXPLOSIVES IN NON-COAL MINERAL EXTRACTION OPERATIONS

## Section

300.200	Scope of this Subpart
300.205	Purpose
300.210	Definitions Applicable to Subpart B
300.215	General Requirements
300.220	Monitoring
300.225	Use of Explosives; Control of Adverse Effects
300.230	Use of Explosives; Blasting Signs, Warnings and Access Control
300.235	Training
300.236	Examination
300.237	Application and Licensure
300.238	Fees
300.239	Denial, Issuance of Notice of Infraction, Suspension, Revocation and Other Administrative Actions
300.245	Notices of Violation
300.246	Cessation Orders

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300.247	Office of Mines and Minerals Decision
300.248	Hearings
300.249	Temporary Relief
300.250	Subpoenas
ILLUSTRATION A	Tree Sampling Procedure
ILLUSTRATION B	Typical Sections

AUTHORITY: Implementing and authorized by the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].

SOURCE: Adopted January 6, 1976; codified at 8 Ill. Reg. 4507; amended at 14 Ill. Reg. 3548, effective February 22, 1990; amended at 20 Ill. Reg. 9546, effective July 1, 1996; recodified from the Department of Mines and Minerals to the Department of Natural Resources at 21 Ill. Reg. 16192; amended at 22 Ill. Reg. 8407, effective April 28, 1998; amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

## SUBPART B: USE OF EXPLOSIVES IN NON-COAL MINERAL EXTRACTION OPERATIONS

## Section 300.210 Definitions Applicable to Subpart B

"Airblast" (also known as "air overpressure") means airborne waves resulting from the detonation of explosives. Airblast may be caused by burden movement or the release of expanding gas into the air. Airblast may or may not be audible.

"Act" means the Surface Mined Land Conservation and Reclamation Act [225 ILCS 715].

"Authorized Representative of the Department" means an employee of the Illinois Department of Natural Resources, Office of Mines and Minerals, qualified to conduct on-site inspections of blasting operations in order to determine compliance with these regulations.

"Blast" means the detonation of explosives by an operator for a mineral extraction operation.

"Licensed Blaster" means the person authorized to oversee and approve blasting operations on a blasting site.

"Blasting Zone" means any area within the operation that is designated in writing by the operator to the Department as being the area within which blasting operations will be conducted.

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"Blasting Operations" means the process of shot design, layout, drilling, loading, detonation and recordkeeping.

"Burden" means the distance from an explosives charge to the nearest free or open face at the time of detonation of each hole.

"Continuing Violation" means a violation of these rules that is ongoing and unabated at the time of inspection.

"Cube Root Scaled Distance" means the distance, in feet, from the blast to a specific location, divided by the cube root of the maximum weight of explosives, in pounds, to be detonated in any eight (8) millisecond period.

"Decibel" means the unit of sound overpressure commonly used to measure airblast from the detonation of explosives. It is also measured in pounds per square inch (p.s.i.), and is defined in terms of the overpressure by the equation:

$$db = 20 \log P/P[0]$$

where:

dB = sound level in decibels

P = measured overpressure in p.s.i. (lbs./in.(2))

P[0] =  $2.9 \times 10^{-9}$  p.s.i. (lbs./in.(2))

The decibel scale is logarithmic.

"Department" means the Illinois Department of Natural Resources.

"Director" means the Director of the Illinois Department of Natural Resources.

"Earth Liners" means structures constructed from naturally occurring soil material that has been compacted to achieve a low permeability.

"Explosives" means any chemical mixture that reacts at high velocity to liberate gas and heat, causing very high pressures.

"Geomembrane" means manufactured membrane liners and barriers of low permeability used to control the migration of fluids or gases.

"Inert Waste" means any solid waste that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a contaminated leachate, as determined in accordance with 35 Ill. Adm. Code 811.202(b). Such inert wastes shall include only non-biodegradable and non-putrescible solid wastes. Inert wastes

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may include, but are not limited to, bricks, masonry and concrete (cured for 60 days or more).

"Landfill" means a facility permitted by the Illinois Environmental Protection Agency for the disposal of waste on land meeting the requirements of the Resource Conservation and Recovery Act, P.L. 94-580, and regulations thereunder, and without creating nuisances or hazards to public health or safety, by confining the refuse to the smallest practical volume and covering it with a layer of earth at the conclusion of each day's operation, or by such other methods and intervals as the Illinois Pollution Control Board may provide by regulation.

"Office of Mines and Minerals" means the subdivision of the Department of Natural Resources charged with regulating the use of explosives in non-coal mineral extraction operations pursuant to Section 6.5 of the Act ~~P.A.-89-367, enacted June-23-1995.~~

"Operation" means the property limits of any non-coal mineral extraction operation.

"Operator" means any ~~the~~ person, firm, partnership or corporation engaged in and controlling a surface mining operation, and includes political subdivisions and instrumentalities of the State of Illinois. ~~having-the-right-to-enter--upon--the-operation--for--the--purpose--of mineral-extraction.~~

"Particle Velocity" is a measure of ground vibration which describes the velocity at which a particle of ground moves when excited by a seismic wave.

"Person" means any individual, partnership, corporation or other legal business entity.

"Protected Structure" means any dwelling, public building, school, church or commercial or institutional building. Protected structures do not include:

Structures owned by the ~~operator~~ person ~~conducting-the-blasting~~ activity; and

Structures subject to a waiver from the Department's airblast and ground vibration requirements granted to the ~~operator~~ person ~~conducting-the-blasting-activity.~~

"Scaled Distance" means the distance, in feet, from the blast to a specified location, divided by the square root of the maximum weight of explosives, in pounds, to be detonated in any eight {8} millisecond

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period.

"Stemming" is inert material (usually crushed stone) that is placed above the explosives column, or vertically between columnar decks of explosives in a blast hole.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 300.215 General Requirements

- a) Each person who conducts blasting operations shall comply with all applicable State and federal laws governing the use of explosives.
- b) All blasting operations shall be conducted under the direct supervision of a licensed blaster (persons licensed by the Department, as provided in Section 300.237 of this Part). The licensed blaster shall be present at the detonation of the blast.
- c) All blasting shall be conducted between sunrise and sunset except in emergency situations where unscheduled blasting is required to ensure operator or public safety. In such cases, the operator shall notify the Department in writing within 72 hours after the unscheduled blast, stating the reason(s) for the unscheduled blast. After review of the notification, the Department shall determine whether the unscheduled blast was an emergency and take enforcement action if necessary.
- d) Explosives may be used to clear blockage in crushing operations at any time provided the explosive charge does not exceed one pound, and the operator complies with all other requirements of this Part, except those found in subsection (c) above.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 300.225 Use of Explosives; Control of Adverse Effects

- a) Blasting shall be conducted to prevent injury to persons and damage to public or private property outside the blasting zone.
- b) Airblast limits
  - 1) Airblast shall be controlled so that it does not exceed the values specified below at any protected structure, unless such structure is owned by the operator and not leased to any other person, or a waiver has been obtained in accordance with subsection (g) below. person--who--conducts--the--surface--mining activities--and--is-not-leased-to-any-other-person--if-a-building owned-by-the--person--conducting--surface--mining--activities--is leased--to-another-person--the-lessee-may-sign-a-waiver-relieving the-operator--from--meeting--the--airblast--limitations--of--this subsection--the-waiver--shall-be-submitted--to-the-Department before-conducting-blasting--operations--in--accordance--with--the

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## terms-of-the-waiver:

Lower frequency limit of measuring system, Hz + 3dB	Maximum level in dB
0.1 Hz or lower--flat response	134 peak
2.0 Hz or lower--flat response	133 peak
6.0 Hz or lower--flat response	129 peak

- 2) The measuring systems used shall have a flat frequency response of at least 200 Hz at the upper end.
- 3) The person who conducts blasting may satisfy the provisions of this subsection (b) by meeting any of the three specifications in the chart in subsection (b)(1).
- 4) To ensure compliance with the limits contained in this Section, the Department may require an airblast measurement of any or all blasts, and may specify the location of such measurements.
- c) Flyrock
 

Flyrock, including blasted material traveling in the air or along the ground, but excluding dust and detonation by-products, shall not be cast beyond the blasting zone.
- d) Ground vibration limits
  - 1) In all blasting operations, except as otherwise authorized in this Section, the maximum peak particle velocity shall not exceed one inch per second at the location of any protected structure, unless such structure is owned by the operator and not leased to any other person or a waiver has been obtained in accordance with subsection (g) below. person--who--conducts--the--surface--mining activities--and--is-not-leased-to-any-other-person--if-a-building owned-by-the--person--conducting--surface--mining--activities--is leased--to-another-person--the-lessee-may-sign-a-waiver-relieving the-operator--from--meeting--the--ground--vibration--limitations--of--this--subsection--the-waiver--shall-be-submitted--to-the-Department before-conducting-blasting--operations--in--accordance--with--the terms-of-the-waiver
  - 2) In addition to the requirements in subsection (d)(1) above, when any blast is within 500 feet of a landfill, the blasting shall be conducted in order to control ground vibrations not to exceed five inches per second, at the closest part of the landfill. Blast monitoring shall comply with Section 300.220(a)(2). The ground vibration limit shall not apply to the following: a landfill in the process of being mined through; mining activities associated with the construction of a landfill; a landfill containing only inert waste; or a landfill or any cell of a landfill that does not contain a geomembrane or earth liner.
- e) When the scaled distance has a value less than 65 at the nearest protected structure, a seismograph recording shall be made at or near that structure. To ensure compliance with the limits contained in this

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Section, the Department may require a seismograph recording of any or all blasts and may specify the location at which such recordings are made.

- f) In lieu of the ground vibration limit(s) in subsection (d) above, the operator may submit a written request to the Department to use an alternative compliance method. Such written request must be supported by sufficient technical information, which may include, but is not necessarily limited to, documented approval of such method by agencies in other states which regulate blasting operations at coal and/or non-coal mineral extraction operations. Upon submittal by the operator of a request to use an alternative compliance method, the Department shall issue a written determination as to whether the technical information submitted provides sufficient justification for the alternative method to be used as a means of demonstrating compliance.

g) Waivers

1) A waiver of the airblast and ground vibration limits in subsections (b) and (d) above may be obtained by the operator in the following circumstances:

- A) If the protected structure is owned by the operator and leased to any other person; or
- B) If the protected structure is not owned by the operator but the owner of the structure has a bona fide financial interest in, or commercial relationship with, the mining operation. The operator shall provide written documentation of any such interest or relationship to the Department upon request.
- 2) The waiver shall be signed by the owner of the structure unless the operator is the owner. If the structure is leased to any other person, the waiver must be signed by both the owner and lessee.
- 3) The waiver shall be in writing in a form approved by the Department, and shall be submitted to the Department before conducting blasting operations in accordance with the term of the waiver.
- 4) The operator is responsible for keeping complete and up to date records on all waivers executed, including real estate and lease transactions that may affect the validity of the waiver. These records shall be made available for inspection by the Department.
- 5) The waiver provided for in this subsection (g) shall consist solely of a waiver of the airblast and ground vibration limits set forth in this Section and is not intended to exempt the operator from civil liability.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 300.235 Training

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- a) Training required herein, for those persons not previously trained in the subjects required herein, shall be conducted by either the Department, the operator or the operator's training representative. The operator's training representative may include but is not limited to junior colleges, consultants and explosives manufacturers. The training must meet the requirements of this Section.

b) The training for blaster's licensure shall include instruction in:

- 1) The design and layout of blasts, including geology, topography and the proper use of delays.
- 2) Control of ground vibration.
- 3) Control of flyrock and airblast.
- 4) Design and loading of boreholes.
- 5) Priming and boosting.
- 6) Tamping and stemming, including methods and materials.
- 7) Blast initiation systems.
- 8) The use of blasting machines.
- 9) The use of circuit testing equipment.
- 10) The general properties of explosives, including blasting agents and selection criteria.
- 11) Ground vibration, airblast and monitoring.
- 12) The use of ground vibration and airblast records as blast design factors.
- 13) The need for accurate reports and blasting logs and their proper preparation.
- 14) Current Illinois and Federal laws and regulations pertaining to blasting at the operation.
- 15) Planning for unpredictable blasting hazards to the public and mine personnel. Illustrative examples are adverse weather, stray electrical currents, flyrock, radio frequency energy and misfires.
- 16) Signs, warning signals and control of the potential flyrock area.
- 17) Site security and safety.
- ~~18) Blasting notices, if applicable.~~
- ~~1819) Handling, transportation and storage of explosives.~~
- ~~1820) New technology as it develops and is implemented in the field.~~
- ~~2021) Training and licensure certification requirements.~~
- c) The licensed blaster shall provide direction and on-the-job training to all non-licensed blasting personnel under his supervision.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 300.236 Examination

- a) Written examinations for blaster licensure shall be administered at least semi-annually, ~~but not more than quarterly~~, on dates and at locations announced by the Department via news releases and direct communication with operators and individuals who request, in writing,

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to be so notified. Such notification shall be made at least sixty (60) days prior to the scheduled date of the examination. All persons scheduled for a regular examination session will be so notified at least one (1) week prior to the scheduled exam date. The Department may administer examinations more frequently than quarterly during a one (1) year period following adoption of these regulations.

b) Reexaminations shall be scheduled, if needed, for those persons who do not pass the regularly scheduled examination. The reexamination shall be scheduled approximately forty-five (45) days after each regular examination. The Department shall also allow for examination at this time for those persons who have newly applied for licensure at least thirty (30) days prior to the scheduled reexamination date. All persons scheduled for examination or reexamination during the reexamination session will be so notified at least one (1) week prior to the scheduled reexamination session.

c) If the applicant cannot attend the examination or reexamination session for which he or she is scheduled, the applicant shall so inform the Department at least one (1) day in advance of the examination date. Failure to do so will result in the application being rejected, and the applicant having to reapply for licensure. Any person who cannot attend such a session and who informs the Department in accordance with this Section will be scheduled for the next examination or reexamination session.

d) Applicants for blaster licensure shall be examined on the topics set forth in Section 300.235(b).

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 300.237 Application and Licensure

a) Each applicant shall submit a completed application for licensure on forms supplied by the Department. The application shall be accompanied by the required fee, which is non-refundable. In order to be scheduled for the next examination session, the application must be received by the Department not less than thirty (30) days prior to that examination date. The Department shall review each application promptly and complete the review of each application not less than fifteen (15) days following the date of receipt of the application. Any applicant whose completed application has been received, reviewed and accepted by the Department more than fifteen (15) days prior to a regularly scheduled examination session shall be scheduled for that session. Any applicant whose application has been received, reviewed and accepted less than fifteen (15) days before a regularly scheduled session may be included with the next regularly scheduled session or the next reexamination session. The completed application shall include:

1) Proof of the applicant's blasting experience, which shall

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include: A notarized statement from the applicant's employer or a licensed blaster having personal knowledge of the applicant's blasting experience relating to the subjects listed in Section 300.235(b) of this Part, and affirming that the applicant has had at least two (2) years blasting experience.

A) A notarized statement from the applicant's employer or a licensed blaster having personal knowledge of the applicant's blasting experience relating to the subjects listed in Section 300.235(b) of this Part, and affirming that the applicant has had at least two years blasting experience; or

B) A notarized statement from an Illinois licensed blaster who directly supervised the applicant, affirming that the applicant has experience with the following: proper blast design to comply with the regulatory requirements of this Part, drilling, loading, initiation systems and delay timing, monitoring requirements, and blast zone security and safety. The applicant's experience shall have included detailed involvement with at least 120 blasts.

2) Proof that the applicant has successfully completed a blaster training course or courses that cover the material listed in Section 300.235(b) of this Part.

b) The Department shall review each application, including required documents, for completeness and the accuracy of the statements contained in the application and required documents. The Department's acceptance of an application shall be based on the applicant's compliance with the requirements of this Part.

c) Each applicant shall be required to pass a written examination established and administered by the Department. The examination shall cover the subjects set forth in Section 300.235(b) of this Part. The minimum passing score shall be seventy-percent (70%) correct answers. The Department retains the sole right to determine whether any or all responses to examination questions are correct.

d) Any applicant whose application is denied shall be so informed in writing, within thirty (30) days after the date the applicant is found to be not qualified. Reason(s) for such denial shall be included with the notification. Each applicant who meets the requirements of subsection (a) above and who passes the examination required in subsection (b) above shall be issued a blaster license as soon as practicable thereafter, but not more than forty-five (45) days after the examination date. Any applicant who meets the requirements of Section 300.237(a) but who does not pass the examination shall be so notified within fifteen (15) days of the examination date. That person may, upon written request, review his or her examination at the Department's Springfield office. Such request must be made and the review completed not less than ten (10) days prior to the reexamination date for which the applicant is scheduled. The review must be done during the Department's regular business hours. Any

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person who does not pass the examination shall be scheduled for the next reexamination session, pursuant to Section 300.236(b) of this Part.

- e) An employed blaster shall have his or her license readily available for inspection at the operation.
- f) A temporary blaster license will be issued to any individual who applies to the Department for such licensure and who provides a photocopy of his or her valid blaster license issued in another state, or the name of the state where the license was issued and the license number. The period of the temporary blaster license shall not exceed six months from the date of issuance. Such a temporary license shall be issued only once to any individual in any continuous five (5) year period.
- g) Each license shall be valid for five (5) years from the date of issuance. Renewal following expiration shall be in accordance with the application, examination and licensure requirements of this Part.
- h) Blaster licensure shall not be assigned or transferred.
- i) Blasters shall not delegate their responsibility to any individual who is not a licensed blaster.
- j) The blaster shall take reasonable precaution to protect his or her license from loss, theft or unauthorized duplication. Such loss, theft or duplication shall be reported to the Department without delay.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 300.239 Denial, Issuance of Notice of Infraction, Suspension, Revocation and Other Administrative Actions

- a) The Department shall deny an application for, or may revoke or suspend, a license under the provisions of this Section if the Department finds that the applicant or licensee:
  - 1) has willfully violated any provisions of the Act or this Part;
  - 2) has made material misstatement or knowingly withheld information in connection with any original or renewal application;
  - 3) has been declared incompetent by any competent court by reasons of mental or physical defect or disease unless a court has since declared him competent;
  - 4) consumes alcohol or unlawfully uses drugs in the workplace;
  - 5) has been convicted in any jurisdiction of any felony within the prior 5 years;
  - 6) is a fugitive from justice.

#### b) Notice of Infraction

- 1) The Department shall, when in the best interest of protecting public safety or public or private property, issue to the blaster a written notice of infraction requiring remedial action when, on the basis of any inspection, the Department determines that the blaster has committed any of the following infractions:

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- A) Noncompliance with current Illinois or Federal law or regulations pertaining to blasting at the operation, including the Illinois Explosives Act [225 ILCS 210].
  - B) Providing false information or a misrepresentation to obtain licensure.
  - C) Consumption of alcohol or unlawful use of drugs in the workplace.
  - D) Noncompliance with any order issued by the Department.
- 2) The maximum time allowed to abate the infraction by completing the remedial action shall be stated in the notice and shall include consideration of the nature of the infraction, as well as the availability of resources to complete the abatement. Remedial actions may include, but need not be limited to, a requirement to receive additional training or undergo reexamination to demonstrate competence.
- 3) A copy of such notice shall be forwarded to the blaster's employer.
  - 4) Any such notice may be terminated when the remedial action has been completed, modified to correct deficiencies or errors or make other changes in the notice or to change the required abatement date, or vacated if the infraction did not occur or occurred as the result of sabotage by persons other than the blaster.
  - 5) The blaster may file a request for review with the Department, and if desired, a hearing within ~~thirty~~ 30 days after the receipt of the notice of infraction. The request shall include the blaster's name, licensure number, identification of the notice, and the date of the notice. The request shall be forwarded to: Illinois Department of Natural Resources, Office of Mines and Minerals, 524 S. Second St., Springfield, IL 62701-1787. If a hearing is requested, the hearing shall be conducted in accordance with 62 Ill. Adm. Code 300.245(b) and shall be held in Springfield. The Department shall give at least five (5) days notice of the date, time and location of the hearing to the blaster, his or her employer and any person who filed a report which led to the notice that was issued.
  - 6) The filing of a request for hearing shall not act as a stay of the remedial actions required as part of the notice of infraction.
- c) License Suspension or Revocation
- 1) The Department shall, upon ~~a finding of a willful commission of an infraction by the blaster~~ issue to the blaster a written notice to show cause why his license should not be suspended or revoked for a specified period (not to exceed the term of the license) upon a finding of:
    - A) A willful commission of an infraction; or
    - B) A failure to complete the remedial action stated in a Notice of Infraction.

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- 2) The blaster shall have twenty-one-~~21~~ days from the receipt date of the notice, or other time period necessary for adequate response as may be set out in the notice, in which to file an answer and request a hearing. If the blaster files an answer to the show cause order and requests a hearing, a public hearing shall be provided and conducted in accordance with 62 Ill. Adm. Code 300.248. The Department shall give thirty-~~30~~ days written notice of the date, time and location of the hearing to the blaster, the blaster's employer and any person who filed a report which led to the order that was issued.
- 3) If the Department determines that the infraction resulting from the willful act on the part of the blaster creates an imminent danger to the health or safety of the public or imminent damage to public or private property, the Department shall immediately issue a temporary suspension of the blaster's license. The temporary suspension shall be in writing, and shall, with reasonable specificity, set forth the nature of the infraction and the imminent danger or damage incurred or about to be incurred. Such suspension shall be subject to a hearing to be provided not less than fifteen-~~15~~ days after the blaster's receipt of the temporary suspension. The hearing shall determine whether the suspension shall be continued or terminated or whether the license shall be revoked. Temporary suspension issued under the authority of this subsection shall not exceed fifteen ~~15~~ days. The hearing shall be conducted in accordance with 62 Ill. Adm. Code 300.248 and shall be held at the Department's Springfield office.
- 4) Upon written notice of revocation, including the findings upon which the notice is based, the blaster shall without delay surrender the revoked license to the Department.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 300.247 Office of Mines and Minerals Decision

- a) Upon receipt of a notice of violation or cessation order, the Director of the Office of Mines and Minerals, or his designee, shall conduct an investigation and either affirm, vacate or modify the notice of violation or cessation order.
- b) Modification of the Notice of Violation or Cessation Order may include:
- 1) Any different or additional remedial actions necessary to abate the violation and the time within which the violation must be abated;
  - 2) The assessment of civil penalties for each and every act of violation;
  - 3) Probationary or permanent modification or conditions on the
- blasting site which may include special monitoring or reporting requirements:
- 4) The extension of time set for abatement or for accomplishment of an interim step may be extended due to the existence of any additional conditions or factors in aggravation or mitigation of the violation, including information provided by the operator, if the failure to meet the time previously set was not caused by lack of diligence on the part of the operator to whom it was issued; and
  - 5) Termination (when all abatement action required by the Department has been completed).
- c) Inability to Comply
- 1) No cessation order or notice of violation issued under this Part may be vacated because of an inability to comply.
  - 2) Unless caused by lack of diligence, inability to comply may be considered only in mitigation of the amount of civil penalty under subsection (d) of this Section.
- d) Civil Penalty Assessment Process
- The Department shall assess a penalty for each notice of violation or cessation order. In determining the amount of civil penalties to assess, the Director of the Office of Mines and Minerals, or his designee, shall consider:
- 1) The operator's history of previous violations. For purposes of determining the history of violations, the Department shall consider only those violations occurring at the same mining operation within a one three year period.
  - A) A violation shall not be counted if the notice or order is the subject of pending administrative review by the Department under Section 300.248 or if the time to request such review has not expired, and thereafter it shall be counted for only one year three-years after the date of the Department's final administrative decision or a final judicial decision affirming the Department's decision;
  - B) No violation for which the notice or order has been vacated shall be counted;
  - C) History of Violations
    - i) First violation of the rule, assess \$100.00.
    - ii) Second violation of the same rule within a one three year period from the date of issuance of the first violation or the date of the final administrative or judicial decision, assess \$250.00-
    - iii) Third and subsequent violations of the same rule within a one three year period from the date of the issuance of the first violation or the date of the final administrative or judicial decision, assess \$500.00-
- 2) The seriousness of the violation.
- A) If the violation did not cause injury to persons or cause

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- blasting site which may include special monitoring or reporting requirements:
- 4) The extension of time set for abatement or for accomplishment of an interim step may be extended due to the existence of any additional conditions or factors in aggravation or mitigation of the violation, including information provided by the operator, if the failure to meet the time previously set was not caused by lack of diligence on the part of the operator to whom it was issued; and
  - 5) Termination (when all abatement action required by the Department has been completed).
- c) Inability to Comply
- 1) No cessation order or notice of violation issued under this Part may be vacated because of an inability to comply.
  - 2) Unless caused by lack of diligence, inability to comply may be considered only in mitigation of the amount of civil penalty under subsection (d) of this Section.
- d) Civil Penalty Assessment Process
- The Department shall assess a penalty for each notice of violation or cessation order. In determining the amount of civil penalties to assess, the Director of the Office of Mines and Minerals, or his designee, shall consider:
- 1) The operator's history of previous violations. For purposes of determining the history of violations, the Department shall consider only those violations occurring at the same mining operation within a one three year period.
  - A) A violation shall not be counted if the notice or order is the subject of pending administrative review by the Department under Section 300.248 or if the time to request such review has not expired, and thereafter it shall be counted for only one year three-years after the date of the Department's final administrative decision or a final judicial decision affirming the Department's decision;
  - B) No violation for which the notice or order has been vacated shall be counted;
  - C) History of Violations
    - i) First violation of the rule, assess \$100.00.
    - ii) Second violation of the same rule within a one three year period from the date of issuance of the first violation or the date of the final administrative or judicial decision, assess \$250.00-
    - iii) Third and subsequent violations of the same rule within a one three year period from the date of the issuance of the first violation or the date of the final administrative or judicial decision, assess \$500.00-
- 2) The seriousness of the violation.
- A) If the violation did not cause injury to persons or cause

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damage to public or private property, or if the Department cannot clearly make the determination that the violation caused injury to persons or caused damage to public or private property, add \$100.00:

- B) If the violation caused injury to persons or damage to public or private property, add \$500.00.

3) The degree of culpability of the operator.

- A) If the Department cannot make a determination that the operator failed to use reasonable care in the design or execution of the blast, add \$0.00.

- B) If the violation occurred due to the operator's failure to use reasonable care in the design or execution of the blast, add \$250.00.

- CB) If the violation occurred as a result of the operator's reckless or deliberate conduct, add \$750.00.

- 4) Administrative Requirements: In the case of a violation of an administrative requirement, such as a requirement to keep records, the Department shall assess a ~~maximum~~ civil penalty of up to \$100.00.

- e) The Office of Mines and Minerals Decision, including the civil penalty assessment, shall be served on the operator within ~~sixty~~ 60 days after the issuance of the notice of violation or cessation order. The Office of Mines and Minerals Decision shall provide that the operator has the right to request a hearing to contest the facts of the violation and/or the civil penalty assessed in accordance with Section 300.248(a). The Office of Mines and Minerals Decision affirming, vacating, terminating or modifying the notice of violation or cessation order shall be served by certified mail, return receipt requested, and shall be considered served upon mailing.

- f) If the Office of Mines and Minerals Decision includes the assessment of a civil penalty, and the operator named in such decision does not request a hearing in accordance with Section 300.248(a) to contest the amount of the penalty, the amount assessed shall be paid to the Department in full within 30 days after service of the Office of Mines and Minerals Decision.

- g) An Office of Mines and Minerals Decision not appealed in accordance with Section 300.248(a) within 30 days after service shall become a final administrative decision of the Department. The operator's failure to request a hearing in accordance with Section 300.248(a) shall constitute a waiver of all legal rights to contest the Office of Mines and Minerals Decision or the cessation order, including the amount of any civil penalty assessed. The filing of a request for hearing under Section 300.248(a) shall not operate as a stay of the Office of Mines and Minerals Decision.

- h) All civil penalties assessed and paid to the Department shall be deposited in the Aggregate Operations Regulatory Fund.

(Source: Amended at 23 Ill. Reg. \_\_\_\_\_, effective

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## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: State (of Illinois) Employees' Deferred Compensation Plan
- 2) Code Citation: 80 Ill. Adm. Code 2700
- 3) Section Numbers: Adopted Action:  
 2700.110 Amend  
 2700.310 Amend  
 2700.600 Amend  
 2700.610 Amend  
 2700.660 Amend  
 2700.730 Amend  
 2700.740 Amend  
 2700.750 Amend  
 2700.800 Amend  
 2700.820 Amend

- 4) Statutory Authority: Implementing Section 457 of the Internal Revenue Code (26 U.S.C.A. 457, 1986, as now or hereafter amended) and the rules of the Internal Revenue Service (26 CFR 1, April 1, 1988, as now or hereafter amended) and implementing and authorized by Section 22A-111.1 and Article 24 of the Illinois Pension Code [40 ILCS 5/22A-111.1 and Art. 24].

- 5) Effective Date of Amendments: May 5, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Date Notice of Proposal Published in Illinois Register: January 8, 1999, 23 Ill. Reg. 378
- 10) Has JCAR issued a Statement of Objections to the amendments? No
- 11) Differences between proposal and final version: No changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were necessary.
- 13) Will these amendments replace an emergency amendment currently in effect?  
 Yes
- 14) Are there any amendments pending on this Part? No

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of Amendments: Most of the amendments are required in connection with the amendments to Section 457(g) of the Internal Revenue Code that requires all assets held in a "457" plan maintained by a government agency be held in a trust, custodial account or insurance contract for the exclusive benefit of participants and beneficiaries. This must occur no later than January 1, 1999. Because the Plan is subject to Section 457, it has been decided to transfer the assets held under the Plan to a custodial account in order to comply with Section 457(g).

The other amendments involve eliminating the annuity option as a form of distribution and providing for annual recalculation of life expectancy in connection with an installment form of distribution.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Stephen W. Seiple  
 Department of Central Management Services  
 720 Stratton Office Building  
 Springfield, IL 62706  
 (217)782-9669

The full text of the adopted amendments begin on the next page:

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

## SUBTITLE H: DEFERRED COMPENSATION

## CHAPTER I: ILLINOIS STATE BOARD OF INVESTMENT

## PART 2700

## STATE (OF ILLINOIS) EMPLOYEES' DEFERRED COMPENSATION PLAN

## SUBPART A: INTRODUCTION AND PURPOSE OF PLAN

Section  
2700.100 Establishment of Plan  
2700.110 Purpose of Plan

## SUBPART B: DEFINITIONS

Section  
2700.200 Definitions

## SUBPART C: ADMINISTRATION

Section  
2700.300 Responsibilities of the Department  
2700.310 Responsibilities of the Board  
2700.320 Deferred Compensation Hardship Committee  
2700.330 Applicable Law

## SUBPART D: PARTICIPATION IN THE PLAN

Section  
2700.400 Eligibility  
2700.410 Enrollment  
2700.420 Minimum Deferral  
2700.430 Maximum Deferral  
2700.440 Catch-up  
2700.450 Revocation of Deferral

## SUBPART E: ESTABLISHMENT OF RETIREMENT AGE

Section  
2700.500 Normal Retirement Age  
2700.510 Alternative Normal Retirement Age

## SUBPART F: PARTICIPANT'S ACCOUNTS, INVESTMENTS AND STATEMENTS

Section  
2700.600 Deferred Compensation Accounts  
2700.610 Allocation of Investment Earnings or Losses  
2700.620 Investment Fund Valuation

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

2700.630 Administrative Costs  
2700.640 Method of Making Investment Requests  
2700.650 Participant Statements  
2700.660 Custodial Account ~~Unsecured-General-Creditor~~  
2700.670 Investment Funds

## SUBPART G: DISTRIBUTIONS

Section  
2700.700 Distribution Events  
2700.710 Beneficiary Election of Method of Distribution  
2700.720 Election of Delayed Distribution Date  
2700.730 Election of Method of Distribution  
2700.735 Distribution of Small Accounts  
2700.740 Unforeseeable Emergency  
2700.750 Designation of Beneficiary  
2700.760 Leave of Absence

## SUBPART H: MISCELLANEOUS

Section  
2700.800 Nonassignability  
~~EMERGENCY~~  
2700.810 Payments to Minors and Incompetents  
2700.820 Missing Persons  
2700.830 Severability  
2700.840 Days and Dates

## SUBPART I: AMENDMENT OR TERMINATION OF PLAN

Section  
2700.900 Amendment of Plan  
2700.910 Termination of Plan  
2700.920 Merger with Prior Plans

## APPENDIX A Administrative Rules (Repealed)

EXHIBIT A Administrative Rule I (Repealed)  
EXHIBIT B Administrative Rule II (Repealed)  
EXHIBIT C Administrative Rule III (Repealed)  
EXHIBIT D Administrative Rule IV (Repealed)  
EXHIBIT E Administrative Rule V (Repealed)  
EXHIBIT F Administrative Rule VI (Repealed)

AUTHORITY: Implementing Section 457 of the Internal Revenue Code (26 USCA 457, et seq., as now or hereafter amended) and implementing and authorized by Section 22A-111.1 and Article 24 of the Illinois Pension Code [40 ILCS 5/22A-111.1 and Art. 24].

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

## NOTICE OF ADOPTED AMENDMENTS

SOURCE: Emergency rule adopted at 3 Ill. Reg. 11, p. 161, effective March 6, 1979, for a maximum of 150 days; adopted at 3 Ill. Reg. 13, p. 7, effective March 19, 1979; amended at 3 Ill. Reg. 36, p. 436, effective August 29, 1979; amended at 4 Ill. Reg. 1, p. 45, effective December 26, 1979; amended at 6 Ill. Reg. 9655, effective July 23, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 10845, effective August 31, 1983; emergency amendments at 13 Ill. Reg. 629, effective January 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 9308, effective May 31, 1989; emergency amendment at 17 Ill. Reg. 19976, effective November 2, 1993, for a maximum of 150 days; emergency expired April 2, 1994; amended at 18 Ill. Reg. 7224, effective May 2, 1994; amended at 21 Ill. Reg. 10050, effective July 15, 1997; emergency amendment at 23 Ill. Reg. 566, effective January 1, 1999, for a maximum of 150 days; amendment at 23 Ill. Reg. 6039, effective MAY 5 1999.

## SUBPART A: INTRODUCTION AND PURPOSE OF PLAN

## Section 2700.110 Purpose of Plan

- a) The purpose of this Plan is to allow Employees to designate a portion of their Compensation to be withheld each month by the State of Illinois and invested at the discretion of and in a manner approved by the Board until Termination of Service, Unforeseeable Emergency or death of the Employee.
- b) Any Compensation deferred by Employees may be invested by the Department, but there is no requirement for the Department or the State of Illinois to do so.
- b)c) Participation in this Plan shall not be construed to establish or create an employment contract between the Employee and the State of Illinois.

(Source: Amended at 23 Ill. Reg. 6039, effective MAY 5 1999)

## SUBPART C: ADMINISTRATION

## Section 2700.310 Responsibilities of the Board

- a) The Board has the responsibility for general supervision of the Plan which shall include, but not be limited to:
- 1) establishment of the Plan,
  - 2) approving or disapproving any proposed changes in the Plan,
  - 3) if deemed necessary by the Board, obtaining Internal Revenue Service and Illinois Department of Revenue approval for the Plan or any amendments thereto, and
  - 4) reviewing any and all proposed investment offerings, each of which must be determined acceptable by the Board prior to being utilized for the investment of Deferred Compensation.

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- b) Following approval by the Board of one or more types of investments, if any, to be offered to Participants, the Board shall prepare specifications and make them available to known administrators or providers of that type of investment.
- c) The selection of the successful bidder for each investment will be based on the bidder's relative ability to provide the program as specified. The Board shall have the authority to:
- 1) waive minor informalities in bidding,
  - 2) accept more than one bid, and
  - 3) reject any and all bids.
- d) The Board has the responsibility for selecting the custodians to hold the assets of the Plan in accordance with Section 457(g) of the Code and for entering into related custodial agreements in connection therewith.

(Source: Amended at 23 Ill. Reg. 6039, effective MAY 5 1999)

## SUBPART F: PARTICIPANT'S ACCOUNTS, INVESTMENTS AND STATEMENTS

## Section 2700.600 Deferred Compensation Accounts

- a) The State of Illinois shall establish a "Deferred Compensation Account" for each Participant which shall be the basis for any distributions payable to the Participant under Section 2700.730.
- b) Each Participant's Deferred Compensation Account shall be credited with the amount of any Compensation deferred and shall be further credited or debited, as applicable, with:
- 1) any increase or decrease resulting from investments made by the State pursuant to Section 2700.670,
  - 2) any applicable expenses incurred by the State in maintaining and administering this Plan,
  - 3) any debits for the amount of any distribution,
  - 4) any credit for the initial value on the effective date of this Plan of any bookkeeping account maintained under the Prior Plans, and
- 5) a debit in an amount equivalent to the present value of any annuity option selected in accordance with Section 2700.730(a)(4). The value of such a Participant's Deferred Compensation Account shall thereafter be determined in accordance with the terms of such annuity options.

(Source: Amended at 23 Ill. Reg. 6039, effective MAY 5 1999)

## Section 2700.610 Allocation of Investment Earnings or Losses

- a) To the extent that Investment Funds are established by the Board,

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Deferred Compensation Accounts shall be allocated among such Investment Funds credited--or--debited--as--if--they--were--invested according to the investment elections requests in effect on behalf of the Participants. Earnings and losses of each Investment Fund shall be based on the actual investment experience of such any--applicable Investment Fund.

- b) Earnings and losses will be measured from the Accounting Date coincident with or immediately preceding the date on which any Deferred Compensation is invested in any Investment Fund to the Accounting Date coincident with or immediately preceding the date any Deferred Compensation is withdrawn from any Investment Fund.
- c) The amount of earnings or losses allocated to each Deferred Compensation Account shall reflect the proportion a Participant's Deferred Compensation Account represents in relation to the other Deferred Compensation Accounts having an interest in that Fund.

(Source: Amended at 23 Ill. Reg. 6039 - 3, effective MAY 5 1999)

## Section 2700.660 Custodial Account Unsecured-General-Creditor

- a) Notwithstanding any contrary provision of the Plan, in accordance with Section 457(g) of the Code, all amounts of compensation deferred pursuant to the Plan, all property and rights purchased with such amounts, and all income attributable to such amounts, property, or rights shall be held in one or more custodial accounts for the exclusive benefit of participants and beneficiaries under the Plan. For purposes of this subsection, the custodian of any custodial account created pursuant to the Plan must be a bank, as described in Section 408(n) of the Internal Revenue Code, or a person who meets the non-bank trustee requirements in accordance with the regulations under Section 408(a)(2) of the Code relating to the use of non-bank trustees. All amounts of compensation deferred under the Plan shall be transferred to a custodial account described in Section 401(f) of the Code within a period that is not longer than is reasonable for the proper administration of the accounts of participants. As required--by the--Internal--Revenue--Code--Section--457--title-to--and-beneficial ownership--of--any--assets--whether--in--cash--or--investments--which--the State--of--Illinois--may-- earmark--to--pay--or--measure--any--Deferred Compensation--under--this--Plan--shall--at--all--times--remain--as--a--part--of the--general--assets--of--the--State--of--Illinois
- b) The Participant and his or her beneficiary shall not have any property interest whatsoever in any specific asset of the State of Illinois on account of his or her election to defer any Compensation under this Plan.

- c) To--the--extent--that--any--person--acquires--a--right--to--receive--payments from--the--State--of--Illinois--under--the--terms--of--this--Plan--such--right shall--be--no--greater--than--the--right--of--any--unsecured--general--creditor

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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of--the--State--of--Illinois--

(Source: Amended at 23 Ill. Reg. 6039 - 3, effective MAY 5 1999)

## SUBPART G: DISTRIBUTIONS

## Section 2700.730 Election of Method of Distribution

- a) At any time prior to the end of the Participant's election period, a Participant may elect one or more of the following methods by which the Deferred Compensation Account shall be distributed:

1) A lump sum cash payment of all or a portion of the balance of the Account. The amount paid for such lump sum withdrawal shall be based upon the value of the Participant's Account as of the Accounting Date.

2) Monthly installments of fixed dollar amounts.

A) The installment dollar amount may be selected by the Participant, but shall not be less than the amount determined to provide for total payout over a period of years not to exceed the life expectancy of the Participant.

B) The installment dollar amounts may be changed by the Department, but only to assure adherence to Section 2700.730(a)(3)(B) of the Plan or as ordered by the Hardship Committee.

C) The amount of each distribution may be transferred electronically to the Participant's bank or other account which accepts direct deposits from the State or its agent.

3) In installments over a period of years not longer than the life expectancy of the Participant.

A) Such installments shall be made in regular increments of monthly, quarterly, semi-annual or annual payments. The amount of each distribution may be transferred electronically to the Participant's bank or other account which accepts direct deposits from the State, or its agent, except for annual payments.

B) Such installments shall be made in such amount to assure that the total value of the Participant's account shall be received by the Participant during his or her projected life time (as determined at the time distributions commence or as otherwise provided by applicable code and regulations).

C) For the purposes of this plan, the Participant's life expectancy shall be determined by an applicable Internal Revenue Service Table in accordance with the regulations under Section 401(a)(9) of the Code, provided, however, that the Participant may elect whether or not his or her life expectancy will be recalculated annually. Such election must be made prior to the first required distribution date.

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shall be irrevocable and shall apply to all subsequent years. (26-CFR-54;-52-PR-20070;-July-27-1907)-at-the-time the Participant elects the distribution method.

D) Any portion of the Deferred Compensation Account which has not been distributed shall continue to be credited and/or debited according to the provisions of Sections 2700.600 and 2700.610.

E) The amount of a periodic installment benefit payment shall be determined each time there is a distribution. This amount shall be calculated on the Accounting Date for the month based on the value of the Participant's Account on that date and the number of installments remaining. However, the final installment will be an amount equal to the value of the Participant's Account on the Accounting Date for that final distribution.

4) A series of payments based on an annuity contract purchased by the Plan on behalf of the Participant.

A) Such annuity payments shall be based on one of the following methods:

i) fixed payments over the life of the Participant; or  
ii) fixed payments not longer than the life expectancy of the Participant; or

iii) fixed payments over a period no longer than the balance of the deceased Participant's installment period in the case of a distribution when the account was partially distributed to the Participant before death; or

iv) fixed payments over a period not to exceed the Beneficiary's life expectancy or 15 years, whichever is shorter, in the case of a distribution which does not begin before the death of the Participant.

B) Once payments have commenced on an annuity basis, payments to a Beneficiary will depend on the terms of the annuity payments agreed to by the Participant and the State. The amount payable to the Participant shall be based upon the interest and mortality assumptions which are consistent with the non-participating annuity purchase yields available from the company for the purchase of such annuities and currently in effect at the time of the purchase.

E) If, in fact, an annuity contract is purchased, the owner and named Beneficiary shall be the State of Illinois. Any rights of Participants or Beneficiaries are derived solely from this Plan.

4)5) A transfer of all of the account from this plan to an eligible plan authorized under Section 457 of the Code.

A) The State or local government sponsoring the receiving 457 Plan is responsible for determining whether the Plan is eligible and certifying the same on a form provided by the

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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Department.

B) The transfer will commence on the next Accounting Date following receipt of the certification and any other required forms.

C) In the event the receiving plan is not an eligible plan or does not authorize transfers, the distribution of the account will be held no longer than 180 days and the Participant will be given 30 days to make a new distribution method election.

b) If the Participant does not elect a method of distribution prior to the end of the Participant's election period, the Deferred Compensation Account will be distributed in five annual installments, unless the amount of the account is \$3,500 or less in which case it will be distributed immediately in a lump sum.

c) The Participant's election becomes irrevocable after the election period expires.

(Source: Amended at 23 Ill. Reg. 6039, effective MAY 5 1999)

## Section 2700.740 Unforeseeable Emergency

a) A distribution of all or a portion of a Participant's Deferred Compensation Account or a change in method of distribution to a Participant shall be permitted in the event the Participant experiences an Unforeseeable Emergency.

b) Distributions shall not be made to the extent that such hardship is or may be relieved:

1) through reimbursement or compensation by insurance or otherwise,  
2) by liquidation of the Participant's assets to the extent the liquidation of such assets would not itself cause severe financial hardship, or  
3) by cessation of deferrals under the Plan.

c) A Participant's deferrals will automatically be revoked upon application for a hardship distribution.

d) If the application is approved, the Participant cannot re-enroll for 12 months following receipt of the hardship application, unless the application is to request cessation of distribution payments.

e) For the purposes of this plan, a Beneficiary whose interest has "vested" in accordance with Section 2700.750 shall have all rights of a Participant to request a distribution or a change-in-method-of distribution in the event of an Unforeseeable Emergency.

f) A Participant desiring a distribution by reason of a serious Unforeseeable Emergency must apply to the Hardship Committee and demonstrate that:

1) the circumstances being experienced were not under the Participant's control, and  
2) the circumstances constitute a real emergency which is likely to

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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- cause the Participant great financial hardship.
- g) The Hardship Committee shall have the authority to require such medical or other evidence as it may need to determine the necessity for Participant's withdrawal request. In the event this information is not provided, the case will be considered closed 60 days after the date of request by the Hardship Committee.
- h) The Hardship Committee shall reach its decision to approve or disapprove the financial hardship withdrawal request within 30 days following receipt of the completed application and necessary information required by the application or the Hardship Committee.
- i) In the event a Participant is not satisfied with the decision of the Hardship Committee on an application for an Unforeseeable Emergency distribution or change in distribution, the Participant may appeal in writing to the Board within 15 days of receipt of the Hardship Committee's decision.
- j) The Board shall, within 30 days of receipt of the appeal, conduct a hearing and review evidence presented by the Participant.
- k) The Board shall then render a final decision within 15 days of the hearing which shall be binding on all parties.
- l) If an application for an Unforeseeable Emergency distribution is approved, the distribution shall be limited to an amount sufficient only to meet the emergency and shall in no event exceed the amount of his or her Deferred Compensation Account as of the Accounting Date next preceding or coincident with such withdrawal.
- m) The allowed distribution shall be payable in a method determined by the Hardship Committee and shall commence as soon as possible, but not later than 30 days after notice to the Participant and the Department of approval of the request by the Committee.

(Source: Amended at 23 Ill. Reg. 6039-1, effective MAY 5 1999)

## SUBPART G: DISTRIBUTIONS

## Section 2700.750 Designation of Beneficiary

- a) A Participant may designate a Beneficiary or Beneficiaries who will receive any balance in the Participant's Deferred Compensation Account in the event of his or her death.
- b) A designation of Beneficiary shall be effective for subsequent distributions when received by the Department. Such designation shall be in writing and should be made on a form provided by the Department for that purpose which has been signed by the Participant.
- c) A Participant may, at any time, change his or her Beneficiary by completion of the form provided by the Department.
- d) No Beneficiary shall have any rights under this Plan until the death of the Participant who has designated him or her.
- e) Participants may designate primary and contingent Beneficiaries. A

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contingent Beneficiary's interest will become effective only upon the death of all primary Beneficiary(ies), or if all the primary Beneficiary(ies) designation(s) has (have) been found invalid.

f) If more than one Beneficiary is named in either category, benefits will be paid according to the following rules:

- 1) Beneficiaries can be designated to share equally or to receive specific percentages.
- 2) If a Beneficiary dies before the Participant, only the surviving Beneficiaries will be eligible to receive any benefits in the event of the death of the Participant. If more than two Beneficiaries are originally named to receive different percentages of the benefits, surviving Beneficiaries will share in the same proportion to each other as indicated in the original designation.
- g) A person, trust, estate or other legal entity may be designated as a Beneficiary.
- h) If a Beneficiary has not been designated, or a designation is ineffective due to the death of all Primary and Contingent Beneficiaries prior to the death of the Participant, or the designation is ineffective for any reason, the estate of the Participant shall be the Beneficiary.
- i) Upon the death of the Participant, any Beneficiary entitled to the value of the Deferred Compensation Account under the provisions of this Section shall become a "Vested Beneficiary" and have all the rights of the Participant with the exception of making any deferrals.
- j) Before the account can be distributed, the Beneficiary must provide the Department with his or her Social Security Number, and a certified copy of the Participant's death certificate.
- k) In the event of a conflict between the provisions of this Section and any annuity contract purchased in accordance with ~~distribution~~ which has commenced under Section 2700.730(a)(4), as in effect prior to January 1, 1999, the latter shall prevail.

(Source: Amended at 23 Ill. Reg. 6039-1, effective MAY 5 1999)

## SUBPART H: MISCELLANEOUS

## Section 2700.800 Nonassignability

- a) The contract entered into between the Employer and a Participant through this Plan and the benefits, proceeds or payments thereunder cannot be sold, assigned, pledged, commuted, transferred or otherwise conveyed by an Employee, Participant or Beneficiary. Any attempt to assign or transfer shall not be recognized and shall impose no liability upon the Employer.
- b) To the extent required under a final judgment, decree, or order made pursuant to a State domestic relations law that relates to the

## DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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provision of child support, alimony payments or marital property rights to a spouse, former spouse or child or other dependent of the Participant (an "Alternate Payee"), a portion of a Participant's Deferred Compensation Account may be transferred to a separate account and any amount so set aside shall be distributed to the Alternate Payee upon the Participant's termination of service or death, whichever of the two events shall first occur. The State of Illinois shall be the owner of all deferred compensation accounts under this plan and shall be the sole beneficiary of any investment contract entered into pursuant to this plan. The Board shall be the custodian of any investment contracts and shall take the steps necessary to provide a place of safekeeping for them.

- c) Except as otherwise required by law, any Deferred Compensation monies withheld pursuant to this plan shall not be subject to attachment, garnishment, or execution, or to transfer by operation of law in the event of bankruptcy or insolvency of the Participant or otherwise.

(Source: Amended MAY 5 1999 at 23 Ill. Reg. 6039, effective 5 1999)

## Section 2700.820 Missing Persons

- a) If the Department is unable to ascertain the whereabouts or identity of any person who is due to receive a benefit under this plan at the time that benefit is due, the Department shall attempt to serve notice on such person by certified mail addressed to that person's last known address.
- b) Should such attempt to serve notice fail, the Department shall ask the help of the Department of Financial Institutions in advertising the need to locate the person pursuant to 38 Ill. Adm. Code 180.
- c) Should such attempt to locate that person fail, the Department shall authorize payment of pay that benefit and all other benefits due such a person to the primary Beneficiary(ies).
- d) If there are no other primary Beneficiaries, the Department shall authorize payment of that benefit to pay the contingent Beneficiaries.
- e) If there are no contingent Beneficiaries, the Department shall authorize payment of that benefit to pay the estate of the Participant.
- f) If there is no open estate, or if the heirs of the estate cannot be found to open an estate, then seven years after the Participant's death, the Department shall authorize payment of that benefit pay the balance of the account to the General Revenue Fund of the State of Illinois seven years after the Participant's death.

(Source: Amended at 23 Ill. Reg. 6039, effective MAY 5 1999)

## DEPARTMENT OF HUMAN SERVICES

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- 1) Heading of the Part: Aid to the Aged, Blind or Disabled
- 2) Code Citation: 89 Ill. Adm. Code 113
- 3) Section Numbers: Adopted Action:  
113.157 Amendment  
113.158 New Section
- 4) Statutory Authority: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13].
- 5) Effective Date of Amendments: May 4, 1999
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 6, 1998 (22 Ill. Reg. 11266)
- 10) Has JCARE Issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version: The following changes were made in the text of the proposed amendments:
1. In the Table of Contents for 113.157, "08/22/96" was changed to "8/22/96".
  2. In the Table of Contents for 113.158, "on" was capitalized and "08/22/96" was changed to "8/22/96".
  3. In Section 113.157, the Subpart Heading was added and "08/22/96" was changed to "8/22/96".
  4. In Section 113.157(a), "at" was changed to "as", "the" was changed to "this" and "(8 USC 1183A)" was added at the end of the Section.
  5. In Section 113.157(b)(1), "U.S.C." was changed to "USCA".
  6. In Section 113.157(b)(2), "(8 USC 1158)" was added at the end of the Section.
  7. In Sections 113.157(b)(3) and 113.158(b)(3), "Entrants" was changed to the lower case.

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8. In Section 113.157(b)(4), "[8 USCA 153(a)(7)]" was added at the end of the Section.
9. In Section 113.157(b)(5), "[8 USCA 1157(c)(1)]" was added at the end of the Section.
10. In Section 113.157(b)(7), "[8 USCA 1253(h)]" was added after "INA".
11. ".00" was struck from the dollar amounts throughout the rulemaking.
12. Section 113.157(h)(1)(C) was revised as follows:  

"If the sponsor's children are living with the sponsor, the Department shall deduct the income of the sponsor and the sponsor's spouse and family from the appropriate federal poverty level as defined in 89 Ill. Adm. Code 112.155(b). The sponsor and other individuals living with the sponsor who are claimed as federal tax dependents are included.
13. In Section 113.157(h)(1)(D), "determine their needs using" was replaced by "deduct the income from".
14. In Section 113.158(a), "[8 USCA 1183A]" was added at the end of the Section.
15. Sections 113.158(b)(1) and (b)(4) were struck and the remaining Sections renumbered accordingly.
16. In Section 113.158(b)(1), "[8 USCA 1158]" was added at the end of the Section.
17. In Section 113.158(b)(3), "[8 USCA 1157]" was added after "INA".
18. In Section 113.158(b)(4), "[8 USCA 1253(h)]" was added at the end of the Section.
19. In Section 113.158(e), "spouse's" was deleted.
20. In Section 113.158(h)(1)(E), "determine their needs using" was replaced by "deduct the income from".
21. Section 113.158(i) was revised as follows:

"If nonexempt assets of a sponsor of a non-citizen are more than the \$2,000 disregard (for a sponsor and spouse residing together, \$3,000; for a sponsor living with two or more dependent family members, \$3,000 for the sponsor and one dependent plus \$50.00 for each additional dependent), the amount over the disregard shall be considered as available to the

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## non-citizen."

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will these amendments replace an emergency amendments currently in effect? No
- 14) Are there any amendments pending on this Part: Yes

## Section Numbers Proposed Action Illinois Register Citation

113.1	Amendment	22 Ill. Reg. 21226
113.10	Amendment	23 Ill. Reg. 380
113.107	Amendment	22 Ill. Reg. 15872
113.111	Amendment	22 Ill. Reg. 15872
113.141	Amendment	23 Ill. Reg. 37
113.253	Amendment	23 Ill. Reg. 3554
113.260	Amendment	23 Ill. Reg. 3554

- 15) Summary and Purpose of Amendments: Pursuant to the provisions in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P. L. 104-193), rules have been developed to address the sponsors of non-citizens who entered the country prior to August 22, 1996, who did not sign an Affidavit of Support and sponsors of non-citizens who entered the country after August 22, 1996, who signed an Affidavit of Support.

## Responsibility of Sponsors of Non-citizens Entering the Country Prior to August 22, 1996

The provisions will be applied to all non-citizens who entered the country prior to August 22, 1996, or who entered the country on or after that date whose sponsor did not sign an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA). This rulemaking provides that sponsor liability will not apply to a non-citizen who is:

- a person paroled under Section 212(d)(5) of INA for at least one year and who entered the United States before August 22, 1996;
- a person granted asylum by the U.S. Attorney General under Section 208 of the INA;
- a person admitted as a Cuban or Haitian entrant;
- a person admitted by application before April 1, 1980, under Section 203(a)(7) of the INA;
- a person admitted as a refugee by application after March 31,

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1980, under Section 207(c) of the INA;

- persons who became blind or disabled, as defined by the Social Security Administration in 20 CFR 416.901, after entering the U.S.;
- a person whose deportation is being withheld under Section 243(h) of the INA; and
- MANG applicants and recipients

These amendments establish that a certain amount of the income and assets of a sponsor of a non-citizen and the sponsor's spouse, if they live together, are considered to be available unearned income and/or assets of the individual non-citizen applying for or receiving assistance if the following occur:

1. The sponsor signed an Affidavit of Support or a similar agreement assuring that the non-citizen would not become a public charge;
2. The non-citizen has been a resident of the U.S. for less than three years;
3. The sponsor is not a recipient of TANF, SSI, or SSP; and
4. The non-citizen is not a child or spouse of the sponsor.

Responsibility of Sponsors of Non-citizens Entering the Country On or After August 22, 1996

These provisions will be applied to all non-citizens who entered the country on or after August 22, 1996, and whose sponsor signed an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA). This rulemaking provides that sponsor liability will not apply to a non-citizen who is:

- a person granted asylum by the U.S. Attorney General under Section 208 of the INA;
- a person admitted as a Cuban or Haitian entrant;
- a person admitted as a refugee by application after March 31, 1980, under Section 207 of the INA; and
- a person whose deportation is being withheld under Section 243(h) of the INA.

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These amendments establish that a certain amount of the income and assets of a sponsor of a non-citizen and the sponsor's spouse, if they live together, will be considered available unearned income and/or assets of the individual non-citizen applying for or receiving assistance if:

1. The sponsor signed an Affidavit of Support under Section 213A of the INA assuring that the non-citizen would not become a public charge;
2. The sponsor is not a recipient of TANF, SSI, or SSP; and
3. The non-citizen is not a child or spouse of the sponsor.

In addition, this rulemaking provides that the sponsor will not be responsible for the non-citizen's spouse or children unless he or she also sponsored them. This rulemaking also establishes how the amount of the sponsor's available income and assets will be considered. The income and assets of the sponsor will be used in determining the eligibility and the amount of benefits for the non-citizen until the non-citizen becomes a citizen or until the non-citizen is credited with 40 qualifying quarters of work.

16) Information and answers to questions regarding these adopted amendments shall be directed to:

Ms. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor, Harris Bldg.  
Springfield, Illinois 62762  
Telephone number: 217/785-9772

The full text of adopted amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER b: ASSISTANCE PROGRAMS

## PART 113

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113.109 Earned Income (Repealed)  
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113.156 Court Ordered Child Support Payments of Parent/Step-Parent  
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113.300 Grandfathered Cases

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113.305 Purchase and Repair of Household Furniture (Repealed)

113.306 Property Repairs and Maintenance

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113.309 Redetermination of Eligibility

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113.400 Description of the Interim Assistance Program

113.405 Pending SSI Application (Repealed)

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113.415 Non-Financial Factors of Eligibility (Repealed)

113.420 Financial Factors of Eligibility (Repealed)

113.425 Payment Levels for Chicago Interim Assistance Cases (Repealed)

113.430 Payment Levels for all Interim Assistance Cases Outside Chicago (Repealed)

113.435 Medical Eligibility (Repealed)

113.440 Attorney's Fees for SSI Applicants (Repealed)

113.445 Advocacy Program for Persons Receiving Interim Assistance (Repealed)

113.450 Limitation on Amount of Interim Assistance to Recipients from Other States (Repealed)

113.500 Attorney's Fees for SSI Appellants (Renumbered)

**AUTHORITY:** Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13]

**SOURCE:** Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; emergency expired January 28, 1979; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33,

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p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 1318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended

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at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by Sections being codified with no substantive change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 9669, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 1467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30, 1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5698, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. 11142, effective July 22, 1991; amended at 15 Ill. Reg. 11948, effective August 12, 1991; amended at 15 Ill. Reg. 14073, effective September 11, 1991; emergency amendment at 15 Ill. Reg. 15119, effective October 7, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16709, effective November 1, 1991; amended at 16 Ill. Reg.

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3468, effective February 20, 1992; amended at 16 Ill. Reg. 9986, effective June 15, 1992; amended at 16 Ill. Reg. 11565, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13641, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14722, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17154, effective November 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17764, effective November 13, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 827, effective January 15, 1993; amended at 17 Ill. Reg. 2263, effective February 15, 1993; amended at 17 Ill. Reg. 3202, effective February 26, 1993; amended at 17 Ill. Reg. 4322, effective March 22, 1993; amended at 17 Ill. Reg. 6804, effective April 21, 1993; amended at 17 Ill. Reg. 14612, effective August 26, 1993; amended at 18 Ill. Reg. 2018, effective January 21, 1994; amended at 18 Ill. Reg. 7759, effective May 5, 1994; amended at 18 Ill. Reg. 12818, effective August 5, 1994; amended at 19 Ill. Reg. 1052, effective January 26, 1995; amended at 19 Ill. Reg. 2875, effective February 24, 1995; amended at 19 Ill. Reg. 6639, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 8409, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15034, effective October 17, 1995; amended at 20 Ill. Reg. 858, effective December 29, 1995; emergency amendment at 21 Ill. Reg. 673, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7404, effective May 31, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 22 Ill. Reg. 13642, effective July 15, 1998; emergency amendment at 22 Ill. Reg. 16348, effective September 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 18931, effective October 1, 1998; emergency amendment at 22 Ill. Reg. 21750, effective November 24, 1998, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 579, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1607, effective January 20, 1999; amended at 23 Ill. Reg. 6052, effective MAY 4 1999.

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

**Section 113.157 Responsibility of Sponsors of Non-citizens Entering the Country Prior to 8/22/96 Sponsors-of-Aliens**

**a) This Section applies to all aliens except:**

a) This Section, except as specified in subsection (b) of this Section, applies to all non-citizens who entered the country prior to August 22, 1996, or who entered the country on or after that date but whose sponsor did not sign an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA) (8 USC 1183a).

**b) This Section applies to all non-citizens except the following:**

- 1) persons paroled into the United States as refugees under Section 212(d)(5) of the Immigration and Nationality Act (8 USC 1182(d)(5)) (INA) for at least one year and who entered the United States before August 22, 1996;
- 2) persons granted asylum by the U.S. Attorney General of the United States under Section 208 of the INA Immigration and Nationality Act.

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- Act (8 USCA 8-5-6: 1158)
- 3) persons admitted as Cuban or Haitian entrants;
- 49) persons admitted by application before April 1, 1980, under Section 203(a)(7) of the INA Immigration-and-Nationality-Act (8 USCA 8-5-6: 1153(a)(7));
- 54) persons admitted as refugees by application after March 31, 1980, under Section 207(c)(4) of the INA Immigration-and-Nationality-Act (8 USCA 8-5-6: 1153(a)(1));
- 65) persons who became blind or disabled, as defined by the Social Security Administration in 20 CFR 416.901, after entering the United States; and
- 7) persons whose deportation is being withheld under Section 243(h) of the INA (8 USCA 1253(h)) and
- 86) WANG applicants and
- 87) Certain With-respect-to--sponsors-of--aliens--certain amounts of the income and assets of the a sponsor and of a sponsor's spouse, if they live together, are deemed to be available unearned income and/or assets of the individual non-citizen alien applying for or receiving AABD MAG assistance if:
- 1) the sponsor signed an Affidavit of Support support or a similar agreement assuring that the non-citizen alien would not become a public charge;
  - 2) the non-citizen alien has been a resident of the United States for less than five three years;
  - 3) the sponsor is not a recipient of TANF, AFDC or SSI, or SSP; and
  - 4) the non-citizen alien is not a child or spouse of the sponsor.
- de) A sponsor is an individual, private organization or agency, or public organization or agency not-an-organization.
- ed) The Department shall count the sponsor's spouse's income and assets even if the sponsor and spouse married after the agreement to support was signed.
- fe) The sponsor, if found able to support the non-citizen alien wholly or partially, is liable for the needs of the individual non-citizen alien only. The sponsor is not responsible for the needs of the spouse or child or children of the non-citizen alien if he or she did not sponsor them.
- gf) If two or more non-citizens aliens applying for assistance are sponsored by the same sponsor, the income of the sponsor is deemed available and is divided equally among the non-citizens. as--if--each alien--is-the-only-one-sponsored-by-that-person.
- hg) The Department shall determine the sponsor's liability to support the non-citizen alien-applicant/-recipient as follows:
- 1) Determination of Sponsor's Available Income.
    - A) The Department shall disregard 20 percent, not to exceed \$175.00, of the earned income of the sponsor or of the sponsor and sponsor's spouse if they live together. This includes net earnings from self-employment, allowing business expenses incurred in the production of

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- self-employment income.
- B) The Department shall add the unearned income of the sponsor and spouse if they live together.
- C) If the sponsor's children are living with the sponsor, the Department shall deduct the income determine-the-needs-of the sponsor and the sponsor's spouse and family from using the appropriate federal poverty level as defined in 89 Ill. Adm. Code 112.155(b) AFDC-Assistance-Standard--(see--89--Ill--Adm--Code--112.155(b)). The sponsor and other individuals living with the sponsor who are claimed as federal tax dependents are included in-making-this-determination.
- D) If the sponsor and the sponsor's spouse have no dependent children living with them, the Department shall deduct the income from determine-their-needs--using the appropriate AABD Assistance Standard (see Section 113.245 99-Ill-Adm-Code 112.101).
- E) The Department shall deduct from income:
- i) any amount paid to individuals outside the home whom the sponsor claims as federal tax dependents; and
  - ii) any alimony maintenance or child support paid to individuals not living with the sponsor.
- F) Any remaining income is applied to the needs of the non-citizen alien.
- 2) Determination of the Total Amount of Assets of the Sponsor and Sponsor's Spouse.
- A) The asset disregard for a sponsor of a non-citizen an-alien is \$2,000; for a sponsor and spouse residing together, \$3,000; and for a sponsor living with two or more dependent family members, \$3,000 for the sponsor and one dependent plus \$50 for each additional dependent.
- B) The same assets are exempt as for an AABD case (see Section 113.141).
- (Source: Amended at 23 Ill. Reg. 6052, effective MAY 4 1999)
- Section 113.158 Responsibility of Sponsors of Non-citizens Entering the Country On or After 8/22/96
- a) This Section applies to all non-citizens who entered the country on or after August 22, 1996, and whose sponsor signed an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA) (8 USCA 1183A).
  - b) This Section applies to all non-citizens except the following:
    - 1) persons granted asylum by the U.S. Attorney General under Section 208 of the INA (8 USCA 1158);
    - 2) persons admitted as Cuban or Haitian entrants;
    - 3) persons admitted as refugees by application after March 31, 1980,

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under Section 207 of the INA (8 USC 1157); and  
 4) persons whose deportation is being withheld under Section 243(h) of the INA (8 USC 1253(h)).

c) Certain amounts of the income and assets of a sponsor and of a sponsor's spouse, if they live together, are deemed to be available unearned income and/or assets of the individual non-citizen applying for or receiving AABD MAG assistance if:

1) the sponsor signed an Affidavit of Support under Section 213A of the INA assuring that the non-citizen would not become a public charge;

2) the sponsor is not a recipient of TANF, SSI or SSP; and

3) the non-citizen is not a child or spouse of the sponsor.

d) A sponsor is an individual, private organization or agency, or public organization or agency.

e) The sponsor's income and assets will be counted even if the sponsor and spouse married after the agreement was signed.

f) The sponsor, if found able to support the individual non-citizen wholly or partially, is liable for the needs of the individual non-citizen only. The sponsor is not responsible for the needs of the spouse or child or children of the non-citizen if he or she did not sponsor them.

g) If two or more non-citizens applying for assistance are sponsored by the same sponsor, the income of the sponsor is deemed available and is divided equally among the non-citizens.

h) The sponsor's income and assets available to meet the needs of the non-citizen are determined in the following manner:

1) Determination of Sponsor's Available Income

A) The Department shall disregard 20, not to exceed \$175, of the earned income of the sponsor or of the sponsor and Sponsor's spouse if they live together. This includes net earnings from self-employment, allowing business expenses incurred in the production of self-employment income.

B) The Department shall add the unearned income of the sponsor and spouse if they live together.

C) The Department shall deduct the appropriate federal poverty level, as defined in 89 Ill. Adm. Code 112.155(b), for the size of the sponsor's family unit. This includes the sponsor and other individuals living with the sponsor who are claimed as federal tax dependents.

D) The Department shall deduct any amount paid to individuals outside the home whom the sponsor claims as federal tax dependents.

E) If the sponsor and the sponsor's spouse have no dependent children living with them, the Department shall deduct the income from the appropriate AABD Assistance Standard (see Section 113.245).

F) The Department shall subtract any alimony or child support paid to individuals not living with the sponsor.

2) Any remaining income is applied to the needs of the non-citizen.

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3) Determination of Sponsor's Assets

The asset disregard for a sponsor of a non-citizen is \$2000. The same assets are exempt as for an AABD case as provided in Section 113.141.

i) If nonexempt assets of a sponsor of a non-citizen are more than the \$2,000 disregard (for a sponsor and spouse residing together, \$3,000; for a sponsor living with two or more dependent family members, \$3,000 for the sponsor and one dependent plus \$50 for each additional dependent), the amount over the disregard shall be considered as available to the non-citizen.

j) The sponsor's income and assets shall be deemed available to meet the needs of the non-citizen until the non-citizen is naturalized or has worked 40 qualifying quarters of coverage as specified in Section 421 of the Personal Responsibility and Work Opportunities Reconciliation Act of 1996 (P.L. 104-193).

(Source: Added at 23 Ill. Reg. 6052, effective MAY 4 1999)

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- 1) Heading of the Part: General Assistance
- 2) Code Citation: 89 Ill. Adm. Code 114
- 3) Section Numbers: 114.408  
Adopted Action: New Section
- 4) Statutory Authority: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].
- 5) Effective Date of Amendments: May 4, 1999
- 6) Does this rulemaking contain an automatic repeal date? NO
- 7) Do these amendments contain incorporations by reference? NO
- 8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 6, 1998 (22 Ill. Reg. 11279)
- 10) Has JCER Issued a Statement of Objections to these amendments? NO
- 11) Differences between proposal and final version: The following changes were made in the text of the proposed amendments:
  1. The Subpart Heading was added.
  2. "[8 USCA 1183A]" was added at the end of Section 114.408(a).
  3. Section 114.408(b)(1) was deleted and the remaining subsections renumbered accordingly.
  4. "[8 USCA 1158]" was added at the end of new Section 114.408(b)(1).
  5. In Section 114.408(b)(2), "Entrants" was changed to the lower case.
  6. Section 114.408(b)(4) was deleted.
  7. "[8 USCA 1157]" was added at the end of new Section 114.408(b)(3).
  8. "[8 USCA 1253(h)]" was added at the end of new Section 114.408(b)(4).
  9. In Section 114.408(c), "assistance" was changed to "General Assistance".

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10. In Section 114.408(g), "is" was inserted before "deemed".
11. In Section 114.408(h)(1)(A), "percent" was changed to " $\frac{8}{100}$ " and "\$175.00" was changed to "\$175".
12. In Section 114.408(i), "\$2,000.00" was changed to "1,500".
13. In the Section Source Notes, "added" was capitalized.
- 12) Have all the changes agreed upon by the agency and JCER been made as indicated in the agreements issued by JCER? Yes
- 13) Will these amendments replace an emergency amendments currently in effect?  
NO
- 14) Are there any amendments pending on this Part? Yes
 

Section Numbers	Proposed Action	Illinois Register Citation
114.10	Amendment	23 Ill. Reg. 382
114.223	Amendment	22 Ill. Reg. 15901
114.224	Amendment	22 Ill. Reg. 15901
- 15) Summary and Purpose of Amendment: Pursuant to the provisions in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P. L. 104-193), rules have been developed to address the sponsors of non-citizens who entered the country on or after August 22, 1996, and whose sponsor signed an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA). This rulemaking provides that sponsor liability will not apply to a non-citizen who is:
  - a person granted asylum by the U.S. Attorney General under Section 208 of the INA;
  - a person admitted as a Cuban or Haitian entrant;
  - a person admitted as a refugee by application after March 31, 1980, under Section 207 of the INA; and
  - a person whose deportation is being withheld under Section 243(h) of the INA.
 These amendments establish that a certain amount of the income and assets of a sponsor of a non-citizen and the sponsor's spouse, if they live together, will be considered available unearned income and/or assets of the individual non-citizen applying for or receiving assistance if:
  1. The sponsor signed an Affidavit of Support under Section 213A of the INA assuring that the non-citizen would not become a public charge;

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

2. The sponsor is not a recipient of GA, SSI, or SSP; and
3. The non-citizen is not a child or spouse of the sponsor.

In addition, this rulemaking provides that the sponsor will not be responsible for the non-citizen's spouse or children unless he or she also sponsored them. This rulemaking also establishes how the amount of the sponsor's available income and assets will be considered. The income and assets of the sponsor will be used in determining the eligibility and the amount of benefits for the non-citizen until the non-citizen becomes a citizen or until the non-citizen is credited with 40 qualifying quarters of work.

Companion amendments are also being adopted in 89 Ill. Adm. Code 113.

- 16) Information and answers to questions regarding these adopted amendments shall be directed to:

Mrs. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor, Harris Bldg.  
Springfield, Illinois 62762  
(217) 785-9772

The full text of adopted amendments begins on the next page:

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER b: ASSISTANCE PROGRAM

PART 114  
GENERAL ASSISTANCE

## SUBPART A: GENERAL PROVISIONS

Section	
114.1	Description of the Assistance Program
114.2	Determination of Not Employable
114.3	Advocacy Program for Persons Receiving State Transitional Assistance
114.5	Incorporation By Reference

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
114.9	Client Cooperation
114.10	Citizenship
114.20	Residence
114.30	Age
114.40	Relationship
114.50	Living Arrangement
114.52	Social Security Numbers
114.60	Work Registration Requirements (Outside City of Chicago only)
114.61	Individuals Exempt From Work Registration Requirements (Outside City of Chicago only)
114.62	Job Service Registration (Outside City of Chicago only)
114.63	Failure to Maintain Current Job Service Registration (Outside City of Chicago only)
114.64	Responsibility to Seek Employment (Outside City of Chicago only)
114.70	Initial Employment Expenses (Outside City of Chicago only)
114.80	Downstate General Assistance Work and Training Programs
114.85	Downstate General Assistance - Food Stamps Employment and Training Pilot Project
114.90	Project Chance Participation/Cooperation Requirements (Renumbered)
114.100	General Assistance Jobs Program (Repealed)
114.101	Persons Ineligible for TANF Due to Time Limits

## SUBPART C: PROJECT ADVANCE

Section	
114.108	Project Advance (Repealed)
114.109	Project Advance Participation Requirements of Adjudicated Fathers (Repealed)
114.110	Project Advance Cooperation Requirements of Adjudicated Fathers (Repealed)

## DEPARTMENT OF HUMAN SERVICES

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- 114.111 Project Advance Sanctions (Repealed)  
 114.113 Project Advance Good Cause for Failure to Comply (Repealed)  
 114.115 Individuals Exempt From Project Advance (Repealed)  
 114.117 Project Advance Supportive Services (Repealed)
- SUBPART D: EMPLOYMENT AND TRAINING REQUIREMENTS
- Section  
 114.120 Employment and Training Requirements  
 114.121 Persons Required to Participate in Project Chance (Repealed)  
 114.122 Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act (Repealed)  
 114.123 Persons in Need of Work Rehabilitative Services (WRS) to Become Employable (Repealed)  
 114.124 Employment and Training Participation/Cooperation Requirements (Repealed)  
 114.125 Employment and Training Program Orientation (Repealed)  
 114.126 Employment and Training Program Full Assessment Process/Development of an Employment Plan (Repealed)  
 114.127 Employment and Training Program Components (Repealed)  
 114.128 Employment and Training Sanctions (Repealed)  
 114.129 Good Cause For Failure to Cooperate With Work and Training Participation Requirements (Repealed)  
 114.130 Employment and Training Supportive Services (Repealed)  
 114.135 Conciliation and Fair Hearings (Repealed)  
 114.140 Employment Child Care (Repealed)

## SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

- Section  
 114.200 Unearned Income  
 114.201 Budgeting Unearned Income  
 114.202 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision  
 114.203 Initial Receipt of Unearned Income  
 114.204 Termination of Unearned Income  
 114.210 Exempt Unearned Income  
 114.220 Education Benefits  
 114.221 Unearned Income In-Kind  
 114.222 Earmarked Income  
 114.223 Lump-Sum Payments  
 114.224 Protected Income  
 114.225 Earned Income  
 114.226 Budgeting Earned Income  
 114.227 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision  
 114.228 Initial Employment

## DEPARTMENT OF HUMAN SERVICES

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- 114.229 Termination of Employment  
 114.230 Exempt Earned Income  
 114.235 Recognized Employment Expenses  
 114.240 Income From Work/Study/Training Program (Repealed)  
 114.241 Earned Income From Self-Employment  
 114.242 Earned Income From Roomer and Boarder  
 114.243 Earned Income From Rental Property  
 114.244 Earned Income In-Kind  
 114.245 Payments from the Illinois Department of Children and Family Services  
 114.246 Budgeting Earned Income For Contractual Employees  
 114.247 Budgeting Earned Income For Non-contractual School Employees  
 114.250 Assets  
 114.251 Exempt Assets  
 114.252 Asset Disregards  
 114.260 Deferral of Consideration of Assets (Repealed)  
 114.270 Property Transfers (Repealed)  
 114.280 Supplemental Payments
- SUBPART F: PAYMENT AMOUNTS
- Section  
 114.350 Payment Levels  
 114.351 Payment Levels in Group I Counties  
 114.352 Payment Levels in Group II Counties  
 114.353 Payment Levels in Group III Counties

## SUBPART G: OTHER PROVISIONS

- Section  
 114.400 Persons Who May Be Included In the Assistance Unit  
 114.401 Eligibility of Strikers  
 114.402 Special Needs Authorizations (Repealed)  
 114.403 Institutional Status  
 114.404 Retrospective Budgeting  
 114.405 Budgeting Schedule  
 114.406 Limitation on Amount of General Assistance to Recipients from Other States (Repealed)  
 114.408 Responsibility of Sponsors of Non-citizens Entering the Country On or After 8/22/96  
 114.420 Redetermination of Eligibility  
 114.430 Extension of Medical Assistance Due to Increased Income from Employment  
 114.440 Attorney's Fees for VA Appellants  
 114.442 Attorney's Fees for SSI Applicants
- SUBPART H: CHILD CARE
- Section

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- 114.450 Child Care (Repealed)  
 114.452 Child Care Eligibility (Repealed)  
 114.454 Qualified Provider (Repealed)  
 114.456 Notification of Available Services (Repealed)  
 114.458 Participant Rights and Responsibilities (Repealed)  
 114.462 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)  
 114.464 Rates of Payment for Child Care (Repealed)  
 114.466 Method of Providing Child Care (Repealed)
- SUBPART I: TRANSITIONAL CHILD CARE
- Section  
 114.500 Transitional Child Care Eligibility (Repealed)  
 114.504 Duration of Eligibility for Transitional Child Care (Repealed)  
 114.506 Loss of Eligibility for Transitional Child Care (Repealed)  
 114.508 Qualified Provider (Repealed)  
 114.510 Notification of Available Services (Repealed)  
 114.512 Participant Rights and Responsibilities (Repealed)  
 114.514 Child Care Overpayments and Recoveries (Repealed)  
 114.516 Fees for Service for Transitional Child Care (Repealed)  
 114.518 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at

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## NOTICE OF ADOPTED AMENDMENTS

5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding Section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15900, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg.

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E recodified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amendment at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. 3640, effective February 23, 1990; amended at 14 Ill. Reg. 6360, effective April 16, 1990; amended at 14 Ill. Reg. 10929, effective June 20, 1990; amended at 14 Ill. Reg. 13215, effective August 6, 1990; amended at 14 Ill. Reg. 13777, effective August 10, 1990; amended at 14 Ill. Reg. 14162, effective August 17, 1990; amended at 14 Ill. Reg. 17111, effective September 30, 1990; amended at 15 Ill. Reg. 288, effective January 1, 1991; amended at 15 Ill. Reg. 5710, effective April 10, 1991; amended at 15 Ill. Reg. 11164, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 15144, effective October 7, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3512, effective February 20, 1992; emergency amendment at 16 Ill. Reg. 4540, effective March 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13297, effective August 15, 1992; emergency amendment at 16 Ill. Reg. 13651, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14769, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 16276, effective October 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17772, effective

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November 13, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18815, effective November 24, 1992; amended at 17 Ill. Reg. 1091, effective January 15, 1993; amended at 17 Ill. Reg. 2277, effective February 15, 1993; amended at 17 Ill. Reg. 3255, effective March 1, 1993; amended at 17 Ill. Reg. 3639, effective February 26, 1993; amended at 17 Ill. Reg. 3255, effective March 1, 1993; amended at 17 Ill. Reg. 6814, effective April 21, 1993; emergency amendment at 17 Ill. Reg. 19728, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3436, effective February 28, 1994; amended at 18 Ill. Reg. 7390, effective April 29, 1994; amended at 18 Ill. Reg. 12839, effective August 5, 1994; emergency amendment at 19 Ill. Reg. 8434, effective June 9, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15058, effective October 17, 1995; emergency amendment at 20 Ill. Reg. 4445, effective February 28, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9970, effective July 10, 1996; emergency amendment at 21 Ill. Reg. 682, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 7413, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8652, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15545, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 16356, effective September 1, 1998, for a maximum of 150 days; amendment at 22 Ill. Reg. 19820, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 588, effective January 1, 1999, for a maximum of 150 days; amendment at 23 Ill. Reg. 1619, effective January 20, 1999; amended at 23 Ill. Reg. ~~6067~~, effective MAY 4 1999.

## SUBPART G: OTHER PROVISIONS

**Section 114.408 Responsibility of Sponsors of Non-citizens Entering the Country On or After 8/22/96**

- a) This Section applies to all non-citizens who entered the country on or after August 22, 1996, and whose sponsors signed an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA) (8 USC 1183A).
- b) This Section applies to all non-citizens except the following:
- 1) persons granted asylum by the U.S. Attorney General under Section 208 of the INA (8 USC 1158);
  - 2) persons admitted as Cuban or Haitian entrants;
  - 3) persons admitted as refugees by application after March 31, 1980, under Section 207 of the INA (8 USC 1157); and
  - 4) persons whose deportation is being withheld under Section 243(h) of the INA (8 USC 1253(h)).
- c) Certain amounts of the income and assets of a sponsor and of a sponsor's spouse, if they live together, are deemed to be available for receiving General Assistance if:
- 1) the sponsor signed an Affidavit of Support under Section 213A of the INA (8 USC 1183A) assuring that the non-citizen would not

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

become a public charge;

- 2) the sponsor is not a recipient of GA, SSI or SSP; and
  - 3) the non-citizen is not a child or spouse of the sponsor.
- d) A sponsor is an individual, private organization or agency, or public organization or agency.
- e) The sponsor's spouse's income and assets will be counted even if the sponsor and spouse married after the agreement was signed.
- f) The sponsor, if found able to support the non-citizen wholly or partially, is liable for the needs of the individual non-citizen only. The sponsor is not responsible for the needs of the spouse or child or children of the non-citizen if he or she did not sponsor them.
- g) If two or more non-citizens applying for assistance are sponsored by the same sponsor, the income of the sponsor is deemed available and is divided equally among the non-citizens.
- h) The sponsor's income and assets available to meet the needs of the non-citizen are determined in the following manner:

- 1) Determination of Available Sponsor's Income
  - A) The Department shall disregard 20 % not to exceed \$175, of the earned income of the sponsor or of the sponsor and sponsor's spouse if they live together. This includes net earnings from self-employment, allowing business expenses incurred in the production of self-employment income.
  - B) The Department shall add the unearned income of the sponsor and spouse if they live together.
  - C) The Department shall deduct the appropriate federal poverty level, as defined in 89 Ill. Adm. Code 112.155(b), for the size of the sponsor's family unit. This includes the sponsor and other individuals living with the sponsor who are claimed as federal tax dependents.
  - D) The Department shall deduct any amount paid to individuals outside the home whom the sponsor claims as federal tax dependents.
  - E) The Department shall subtract any alimony or child support paid to individuals not living with the sponsor.
- 2) Any remaining income is applied to the needs of the non-citizen.
- 3) Determination of Sponsor's Assets
  - The asset disregard for a sponsor of a non-citizen is \$1500. The same assets are exempt for a GA case as provided in Section 114.251.
  - 1) If nonexempt assets are more than the \$1500 disregard, the amount over the disregard shall be considered as available to the non-citizen.
  - 2) The sponsor's income and assets shall be deemed available to meet the needs of the non-citizen until the non-citizen is naturalized or has worked 40 qualifying quarters of coverage as specified in Section 421 of the Personal Responsibility and Work Opportunities Reconciliation Act of 1996.

(Source: Added at 23 Ill. Reg. 6067-3, effective

## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF ADOPTED AMENDMENTS

MAY 4 1999

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Illinois Swimming Pool and Bathing Beach Code

2) Code Citation: 77 Ill. Adm. Code 820

3) Section Numbers: Adopted Action:

820.10	Amendment
820.20	Amendment
820.100	Amendment
820.110	Amendment
820.120	Amendment
820.130	Amendment
820.140	New Section
820.150	New Section
820.200	Amendment
820.210	Amendment
820.220	Amendment
820.230	Amendment
820.240	Amendment
820.250	Amendment
820.260	Repealed
820.270	New Section
820.290	New Section
820.300	Amendment
820.310	Amendment
820.315	New Section
820.320	Amendment
820.330	Amendment
820.340	Amendment
820.350	Amendment
820.360	Amendment
820.380	Amendment
820.390	Amendment
820.400	Amendment
820.Appendix A	Amendment
Illustration A	Amendment
Illustration B	Amendment
Illustration C	Amendment
Illustration E	Repealed
Illustration F	Repealed
Illustration J	Amendment
Illustration M	Repealed
Illustration N	Amendment
820.Appendix B	Amendment
Table B	Amendment
Table C	Amendment
Table D	Amendment
Table E	Amendment

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

4) Statutory Authority: Implementing and authorized by the Swimming Pool and Bathing Beach Act [210 ILCS 125].

5) Effective Date of Amendments: May 20, 1999

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Date Notice of Proposed Rulemaking was Published in the Illinois Register: January 29, 1999 (23 Ill. Reg. 1250)

10) Has the Joint Committee on Administrative Rules issued a Statement of Objection to this rulemaking? No

11) Difference Between Proposal and Final Version:

In Section 820.10, the following new definition was added: "Superchlorination" means the establishment of an elevated chlorine residual in pool water for the purpose of removing combined chlorine (chlorine that has reacted with nitrogenous compounds) or destroying unwanted organisms in the pool."

In Section 820.140(a), the following language was added to explain when the Department will order remedial action to correct a condition not in compliance with this Part: "Examples of such conditions may include, but shall not be limited to, inadequate lighting or enclosure barriers, unsafe deck conditions, lack of depth markers, disinfection systems that do not allow minimum disinfectant levels to be maintained, and previously cited violations that were not corrected as required."

Section 820.150(d) has been revised to state that a person from whom a variance has been revoked shall have an opportunity for a hearing before the Department in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code. 100).

Section 820.200(j)(1) has been revised to remove plunge pools and lazy river pools from the deck requirements.

Section 820.200(n)(1), (2), and (3) have been revised to read as follows:

"1) Starting platforms for competitive swimming shall not be installed where the water depth is less than five feet, except for existing starting platforms that were initially installed at

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a swimming pool before May 20, 1999.

2) Starting platforms that were installed at a swimming pool before May 20, 1999 shall be removed if not located where the water depth is at least 3 1/2 feet; or shall be relocated to a location where the water depth is at least 3 1/2 feet.

3) The height of starting platforms, measured above the pool water level, shall not exceed the following:

A) 30 inches for starting platforms located where the water depth is five feet or more.

B) 18 inches for starting platforms located where the water depth is less than five feet.

Section 820.340(k)(2) has been revised to make an exception to the specified recirculation and filtration flow rate. The exception is applicable to wading areas in swimming pools constructed prior to May 20, 1999 where the prescribed flow rate would not be attainable without alteration of the recirculation system."

In Section 820.360, a new subsection (p) has been added to specify that the pool manager may implement and enforce rules that are more stringent than or to supplement this part.

In Section 820.400, language has been deleted that allowed a parent or guardian to submit written permission for a person under the age of 16 to enter a beach or swim area without a lifeguard or parent present. The deletion of this language makes the Section applicable to beaches consistent with the Section applicable to swimming pools.

In addition, various typographical, grammatical and form changes were made in response to comments from the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the agency and the Joint Committee been made as indicated in the agreements issued by the Joint Committee? All changes agreed upon by the Department and the Joint Committee have been made as indicated in the agreements issued by the Joint Committee.

13) Will the rulemaking replace an emergency rule currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and Purpose of Amendments:

The existing rules establish standards for the design and operation of swimming pools and bathing beaches and appurtenances. The proposed

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amendments are intended to address specific public health or safety concerns, changes in design practices for aquatic recreation facilities, and clarification of intent as follows:

A permit will be required for alterations to existing facilities (currently required for construction of new facilities only).

Plans for construction or alteration of structures, including the structure of a pool, submitted as part of a permit application will have to be sealed by an architect or structural engineer. Plans for mechanical or electrical systems will have to be sealed by a licensed professional engineer.

Swimming pool facilities constructed prior to the effective date of the proposed amendments will be exempt from the proposed design standards. However, alterations to existing facilities will be required to comply with the amended design standards.

Criteria are added to specify how the Department will approve variances.

Standards for seats installed in swimming pools are added.

"No Diving" signs or markers will be required to be installed around swimming pools in which the water depth is less than 5 feet

The proposal changes the required minimum width of a deck around an outdoor swimming pool from 8 feet to 4 feet, and requires a minimum 42 inch unobstructed walkway width around swimming pools. Features such as spas, deck furniture or planters will not be allowed within 4 feet of swimming pools.

The minimum slope of a pool deck for drainage will be reduced from 2 inches per 10 feet to 1 inch per 10 feet,

Standards for ramps provided for access into swimming pools are added.

Plunge areas for diving boards and slides at swimming pools are defined. Overlap of plunge areas would be prohibited.

Standards for competition starting platforms are added.

Standards for the design of water treatment system serving "lazy rivers" are added.

An increased circulation flow rate will be required in swimming pools in areas where the water depth is less than 30 inches.

Unapproved types of water treatment devices for swimming pools will be

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prohibited.

An air gap discharge will no longer be required for swimming pool subsurface drain pipes discharging into a storm sewer.

Pipes for swimming pool deck drains discharging to a sanitary sewer will be required to discharge through an air gap.

Inlet fittings for filtered water will be required to be installed in pool floors in areas where the water depth is less than 30 inches and the pool width is greater than 30 feet. Separate piping to supply floor and wall inlet fittings will be required.

Requirements for suction fittings are amended to prevent bather entrapment.

Criteria for surge weirs are added.

Testing of swimming pool equipment by certification organizations other than the National Sanitation Foundation International (NSF) will be accepted.

Criteria for equipment for applying bromine to swimming pool water are revised to require that equipment be certified as meeting NSF Standard 50 and to specify minimum capacity requirements.

Criteria for ozonators are revised to reflect updated technology.

A requirement is added for interruption of chemical feeding into pool water when the circulation flow is interrupted.

The requirement for separate dry and wet toilet facilities in a bathroom is removed.

Installation of new footbaths is prohibited.

For spray pools, use of recirculated water, with treatment as required for swimming pools, will be permitted.

Criteria for "drop slides" are added.

Water slide plans will be required to be sealed by a licensed structural engineer.

Use of a pool by one patron will no longer be prohibited.

The minimum age for a person to use a pool without supervision is lowered from 17 years of age to 16.

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The requirements for rescue equipment is changed to allow equipment that is currently used by lifeguards.

The maximum distances between a swimming pool enclosure and an emergency telephone is reduced from 500 feet to 300 feet.

The acceptable range for disinfectant residual is changed.

The conditions when pool closing will be required are revised.

Personal regulations for swimming pools and beaches are revised.

Procedures for disinfecting a pool following a fecal accident or similar incident are added.

Children who are not toilet-trained will be required to wear tightly-fitting rubber or plastic pants while in a pool.

16) Information and questions regarding these adopted amendments shall be directed to:

Gail M. DeVito  
Administrative Rules Coordinator  
Division of Legal Services  
535 West Jefferson, Fifth Floor  
Springfield, Illinois 62761  
(217)782-2043  
(rules@dph.state.il.us)

The full text of the adopted amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER n: RECREATIONAL FACILITIES

PART 820  
ILLINOIS

## SWIMMING POOL AND BATHING BEACH CODE

## SUBPART A: GENERAL

Definitions  
Incorporated Materials

## SUBPART B: SWIMMING POOLS AND BATHING BEACHES

Permits  
Water Supplies  
Wastewater Sewage Disposal  
Food Service Sanitation  
Exemptions  
Variances

## SUBPART C: SWIMMING POOL DESIGN REQUIREMENTS

General Design Requirements  
Swimming Pool Water Treatment System  
Swimming Pool Bather Preparation Facilities  
Wading Pools  
Spray Pools  
Water Slides  
New Equipment, Construction and Materials (Repealed)  
Lazy Rivers

## SUBPART D: SWIMMING-POOLS OPERATIONAL REQUIREMENTS

Applicability of Operation Requirements  
Personnel  
Safety Equipment  
Notification  
Water Quality  
Swimming Pool Closing  
Operation and Maintenance  
Operation Reports and Routine Sampling  
Patron Personnel Regulations

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Section  
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820.370 Swimming Suits and Towels Furnished by Management  
820.380 Wading Pools, and Spray Pools and Therapy Pools  
820.390 Refuse Disposal

## SUBPART E: BATHING BEACH DESIGN AND OPERATION

Section  
820.400 Minimum Sanitary Requirements for Bathing Beaches  
820.500 Minimum Sanitary Requirements for Bathing Beaches (Renumbered)

## APPENDIX A Illustrations

ILLUSTRATION A Slope of Pool Floor Bottom  
ILLUSTRATION B Pool Walls  
ILLUSTRATION C General Pool Diving Area Dimensions  
ILLUSTRATION D Pools with Diving Facilities in Excess of Three Meters in Height  
ILLUSTRATION E Slide Dimensions (Repealed)  
ILLUSTRATION F Slide Position (Repealed)  
ILLUSTRATION G Flow Meter Installation  
ILLUSTRATION H Skimmer Construction  
ILLUSTRATION I Installation of a Pressure Sand Filter System  
ILLUSTRATION J Installation of a Pressure Diatomaceous Earth Filter System  
ILLUSTRATION K Installation of a Vacuum Filter System  
ILLUSTRATION L Chlorine Injection into Return Line to Pool Using Pump Discharge Pressure  
ILLUSTRATION M Chlorine Injection into Return Line to Pool Using External Water Source Pressure (Repealed)  
ILLUSTRATION N Chlorine Injection into Return Line to Pool Using Booster Pump

## APPENDIX B Tables

TABLE A Dimensions of Swimming Pools with Diving Facilities in Excess of Three Meters in Height  
TABLE B First Aid Kit Contents  
TABLE C Flows Carried by Inlets  
TABLE D Sizing Swimming Pool Chlorinators  
TABLE E Shower, Lavatory and Toilet Fixtures Required Per Bather Load

AUTHORITY: Implementing and authorized by the Swimming Pool and Bathing Beach Act [210 ILCS 125].

SOURCE: Adopted October 22, 1974; amended and effective February 9, 1976; amended at 4 Ill. Reg. 46, p. 1283, effective November 5, 1980; amended at 5 Ill. Reg. 9593, effective September 16, 1981; rules repealed and new rules adopted at 5 Ill. Reg. 13623, effective December 2, 1981; amended and codified at 8 Ill. Reg. 12366, effective July 5, 1984; amended at 11 Ill. Reg. 12308, effective July 15, 1987; amended at 14 Ill. Reg. 786, effective January 1, 1990; amended at 20 Ill. Reg. 6971, effective May 25, 1996; emergency amendment at 21 Ill. Reg. 7536, effective May 28, 1997, for a maximum of 150 days;

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amended at 22 Ill. Reg. 9357, effective May 15, 1998; amended at 23 Ill. Reg. 6079-, effective MAY 20 1999.

SUBPART A: GENERAL

## Section 820.10 Definitions

In addition to the definitions in the Illinois Swimming Pool and Bathing Beach Act, the following additional definitions shall apply:

"Act" means the Swimming Pool and Bathing Beach Act (210 ILCS 125).

"Appurtenance" means an accessory facility or feature at a swimming pool or bathing beach, such as a diving board, slide, wading pool, plunge pool, spray pool, or bathhouse. The term does not refer to a therapy pool as defined in this Section.

"Approval" means compliance with the Act and this Part.

"Approved Certification Agency" means an organization that has been accredited by ANSI and found to meet the requirements specified in ANSI 2 34.1 (1993), Third Party Certification Program to evaluate swimming pool equipment for compliance with NSF Standard 50.

"Attendant" means a person at least 16 years of age, stationed at the top of a water slide and responsible for ensuring safe use of the slide.

"Bather Load" means the maximum number of persons that may be allowed in which--may--use the pool area at one time without creating undue health or safety hazards. (See Section 820.200(b).)

"Bathing Beach" means a Public Bathing Beach as defined in the Act.

"Community Water System" means a public water system which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days a year.

"Construction" means the process of building or fabricating a swimming pool, bathing beach or appurtenance.

"Construction in a Flood Plain" means the placement or erection of structures or earthworks; land filling, excavation or non-agricultural alteration of the ground surface; installation of public utilities; channel modification; storage of materials or any other activity undertaken to modify the existing physical features of a flood plain with respect to the storage and conveyance of flood waters.

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"Deep Area" means an area of swimming pool in which the water depth exceeds five feet.

"Development" means improvement of a site for the purpose of establishing a bathing beach, the addition of an appurtenance to an existing swimming pool or bathing beach, modifying the shape, water surface area or depth of a swimming pool, or changing the design of the water recirculation or water treatment system of a swimming pool. It does not include repairs to existing facilities that do not alter the design of the facility.

"Diving Pool" means a pool designed and intended for use exclusively for diving by divers.

"Drop Slide" means a slide with an exit angle exceeding 11 degrees measure downward from the horizontal.

"Office--of--Water--Resources" means the Illinois Department of Natural Resources--Office--of--Water--Resources--3215--Executive--Park--B-77 Springfield--IL--62763.

"Plunge" means the an inclined channel of a which--conveys--the water and the slide participant from the top of the slide to the plunge pool.

"Homeowner's Association" is a not-for-profit corporation comprised of members who have common ownership interest in property owned or operated by the association for the benefit of all the members.

"Infant" means a minor who is not toilet-trained.

"Inlet" means an opening or fitting through which filtered water enters the pool.

"Installation" means the emplacement of a swimming pool manufactured and transported to the intended site.

"Lazy River" means a pool intended for use with flotation devices and consisting of a closed loop with an artificially induced current.

"Main Drain" means the outlet or outlets in the floor of the pool.

"Make-up Water" means the water added to a pool to replace that which is lost.

"Manager/Operator" means the person or entity responsible for the actual daily operation, or for the supervision of the operation, of a swimming pool or bathing beach.

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"Office of Water Resources" means the Illinois Department of Natural Resources, Office of Water Resources, 3215 Executive Park Dr., Springfield IL 62703.

"National Electrical Code" means a code for the practical safe guarding of persons and of buildings and their contents from hazards arising from the use of electricity for light, heat, power or radio signaling prepared by the National Fire Protection Association (NFPA) 70-60 Batterymarch St., Boston, Mass. 02110. (1994 Edition)

"National Sanitation Foundation" (N-S-F) means a non-profit non-commercial organization which wholly owns the National Sanitation Foundation Testing Laboratory, 2955 West Stadium Boulevard, P.O. Box 1460, Ann Arbor, Michigan 48106.

"Non-Community Water System" means a public water system that is not a community water system that has at least 15 service connections used by non-residents or regularly serves 25 or more non-resident individuals daily for at least 60 days a year.

"Perimeter Overflow System" means a channel at the normal water level normally extending completely around the pool used to skim the surface layer of water surface. Also known as an overflow gutter.

"Permit" means a certificate issued by the Department allowing the construction, development or installation of a new public swimming pool or public bathing beach under the provisions of the Act.

"Plumbing" shall have the meaning set forth in the Illinois State Plumbing Code (77-III-Adm-Code-890).

"Plunge Area" means a location in a pool or bathing beach at the exit of a slide, or the area in a pool below and in front of a diving board or platform.

"Plunge Pool" means a pool used exclusively as a plunge area for one or more slides, or artificial body of water into which a person exits from a water slide.

"Pool" means a swimming pool or a wading pool, plunge pool or other recreational water basin utilized in conjunction with or as an appurtenance to a swimming pool. The term does not refer to spas and therapy pools not designed or intended for swimming or to basins for individual use that are drained after each use.

"Pool Depth" means the vertical distance between the pool floor and the water level perimeter overflow system tip or midpoint on the skimmer throat weir level.

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"Project Designer" means a licensed design professional primarily responsible for the design of the construction, development or installation of a swimming pool or bathing beach.

"Public Water System" means a system for the provision to the public of piped water for human consumption if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. The term Public Water System includes any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

"Recirculation Piping" means the piping from the pool to the filters and back to the pool, through which the pool water circulates.

"Sewage" means any liquid waste containing animal or vegetable matter in suspension solution, and includes liquids containing chemicals in solution.

"Shallow Area Pool" means an area in a swimming pool a pool, other than a wading pool or spray pool as defined in these regulations in which the water depth does not exceed five feet at any point.

"Skimmer" means a mechanical device connected to the recirculation piping which is used to skim the pool surface.

"Slide" means a recreational feature, including a water slide or drop slide, with a smooth, inclined flume or channel by which a rider is conveyed downward to a plunge area.

"Slip-Resistant" means not conducive to slipping under contact with bare feet when wet.

"Special Flood Hazard Area" means an area having special flood hazards and shown as such on a Regulatory Flood Plain Map (published and available from the Office of Water Resources) or Flood Insurance Rate Map or Flood Hazard Boundary Map published by the Federal Insurance Administration of the Federal Emergency Management Agency.

"Spray Pool" means an artificially constructed area over which water is sprayed but is not allowed to pool.

"State Flood Plain Regulations" means the rules set forth for the Regulation of Construction within Flood Plains (92-III-Adm-Code 7067) issued by the Office of Water Resources.

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"Superchlorination" means the establishment of an elevated chlorine residual in pool water for the purpose of removing combined chlorine (chlorine that has reacted with nitrogenous compounds) or destroying unwanted organisms in the pool.

"Surge Weir" means an opening into a perimeter overflow system channel that allows skimming of the pool water surface when the surface is below the level of the overflow lip of the perimeter overflow system.

"Swimming--Pool-Manager/Operator" means the person responsible for the actual daily operation, or for the supervision of the operation of--a swimming pool.

"Therapy Pool" means a pool intended only for medical treatment, physical therapy or muscle relaxation and not intended for swimming or instruction in swimming, and includes spas, whirlpools and hot spas.

"Transition Point" means a location in a shallow area of a swimming pool where an area, having a floor slope of no more than one foot vertical in 12 feet horizontal, adjoins an area where the floor slope exceeds one in 12. the point of the floor of the pool where an abrupt change in slope occurs between the shallow and deep areas of the pool.

"Turnover Period" means the time required to recirculate a volume of water equivalent to the water volume of the pool through the filtration system.

"Therapy--Pool" means--a--pool--intended--only--for--medical--treatment--or--muscle--relaxation--and--not--intended--for--swimming--or--instruction--in--swimming.

"Wading Area" means a portion of a pool, other than an area of limited extent such as a stair, seat or ramp, where the water depth does not exceed 30 inches; or the portion of a bathing beach where the water depth is less than five feet, or that portion thereof designated by the installation of a buoyed line to separate this area from deeper water.

"Wading Pool" means a pool having a maximum water depth not exceeding intended--only--for--small--children--it--is--not--used--for--swimming--nor--instruction--in--swimming--the--maximum--depth--is--less--than--30--inches.

"Water Level" means the level of the overflow lip of a perimeter overflow system or the mid-level of surge weirs, if present, or the mid-level of the skimmer operating range.

"Water Slide" means a slide with a flow of water and having a flume exceeding 30 feet in length which consists of one or more--flumes--a

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"Plunge pool" means a pump reservoir and water treatment facilities where water is pumped to the top of the slide and allowed to flow down the flume to the plunge pool.

"Wave Pool" means a swimming pool designed for the purpose of producing wave action in the water.

"Zero-Depth Edge" means that portion of the perimeter of a zero-depth pool where the pool floor intersects the pool water surface.

"Zero-Depth Pool" means a swimming pool where the pool floor intersects the water surface along a portion of its perimeter.

(Source: ~~May 20 1989~~ 23 Ill. Reg. **6079-2**, effective ~~May 20 1989~~)

## Section 820.20 Incorporated Materials

The following materials are incorporated or referenced in this Part and are available for inspection at the Department's Springfield office:

- a) Statute Statutes
  - Swimming Pool and Bathing Beach Act [210 ILCS 125] (210-125-Rev7 Stat-1987-CH-111-1/27-pars-1291-et-seq-7) (See Section-820-110)
- b) Regulations
  - 1) Illinois Plumbing Code (77 Ill. Adm. Code 890) (See Sections 820.200(r), 820.2109(c)(1), 820-10 and 820.210(f)(1)(A), 77 706). (See Sections 820.10 and 820.100 (b)(3)(A), 77 3)
  - 2) Regulation of Construction Within Flood Plains (92 Ill. Adm. Code 706). (See Sections 820.10 and 820.100 (b)(3)(A), 77 3)
  - 3) Drinking Water Systems Code (77 Ill. Adm. Code 900). (See Section 820.110(a), 77 4)
  - 4) Private Sewage Disposal Code (77 Ill. Adm. Code 905). (See Section 820.120, 77 5)
  - 5) Food Service Sanitation Code (77 Ill. Adm. Code 750). (See Section 820.130, 77 6)
  - 6) Public Water Supplies (35 Ill. Adm. Code: Subtitle F, Chapters I and II). (See Section 820.110(a), 77 7)
  - 7) Public Area Sanitary Practice Code (77 Ill. Adm. Code 895). (See Section 820.110(a), 77 8)
- c) Other Materials
  - 1) National Electrical Electric Code (1999 1984 Edition) National Fire Protection Association Battery March Park, Quincy MA 02269
  - 66-Batterymarch-8-7-Boatney-MA-02210
  - 2) NSF International National Sanitation Foundation NSF (N-S-F) Standard 50 (July 1996 1985) N-S-F--Testing Laboratory 3475 Plymouth Road 2355 West Stadium Boulevard P.O. Box 13014 1468

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Ann Arbor, Michigan 48113-0140 48066

3) ANSI Z 34.1 (1993), Third Party Certification Program

American National Standards Institute

11 West 42nd Street

New York NY 10036

- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

SUBPART B: SWIMMING POOLS AND BATHING BEACHES

Section 820.100 Permits

- a) Construction Permit. A construction permit must be obtained prior to beginning any construction, development or installation of a swimming pool or bathing beach.

- b) Procedure to Obtain a Construction Permit.

1) The owner or his representative must submit to the Department a completed application for a construction permit for each swimming pool or bathing beach to be constructed. The application forms are available from and provided by the Department of Public Health.

- 2) One set of detailed construction plans and specifications each bearing the seal and signature of an engineer or architect, licensed registered to practice in Illinois, shall be submitted for initial review. However, three 3 sets of such drawings shall be submitted prior to the issuance of a construction permit. These plans and specifications shall comply with the following requirements:

A) All plans and specifications shall be clear, consistent and legible and include at a minimum the name of the project owner or facility responsible for the operation of the pool, location of the swimming pool or bathing beach, the scale in feet, the north point and date. The facility responsible for the operation of the pool is that organization or facility which employs the swimming pool manager operator and which is directly responsible for the operation of the pool.

B) Go--allow--a--plan--review--the--plans--shall--be--clear--and legible--They--shall--be--drawn--to--a--scale--which--will--permit--a--necessary--information--to--be--plainly--shown--A--location--plan--showing--the--exact--location--of--the--project--must--be--included.

B)(e) Detailed plans shall consist of plan view, elevations,

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sections and supplementary views and specifications. Dimensions and relative elevations of structures and equipment, location and size of piping, water levels, ground elevations, and pump curve(s) shall be included. The plans and specifications shall indicate compliance with all applicable requirements.

- C) No change in location or construction of the project shall be made from plans and specifications that have been approved without first submitting details of the proposed changes to the Department and receiving subsequent approval therefor.

3) Construction Requirements in Flood Plains

A) Scope. All construction, development or installation of swimming pools or bathing beaches in flood plains under the jurisdiction of the Illinois Department of Public Health shall be built in accordance with the flood damage prevention standards of the Flood Plain Regulations of the Illinois Department of Natural Resources, Division of Water Resources (92 Ill. Adm. Code 706).

B) Verification of Compliance. When construction, development or installation is activities are proposed in a flood plain, the applicant shall determine contact the Division of Water Resources to discern if the site is in a Special Flood Hazard Area. The Determination of Special Flood Hazard Area locations shall be made by utilizing the "Special Flood Hazard Area Location Request Form," which is available from the Illinois Department, shall be completed and submitted to the Department of Public Health. If the site is located in such an area, plans for the project shall be forwarded to the Illinois Department of Natural Resources of Water Resources. No project to be located in a Special Flood Hazard Area shall be approved without written approval a statement from the Illinois Department of Natural Division of Water Resources, Chief Flood Plain Management Engineer that it complies with the requirements of Executive Order No. IV (1979).

- c) Revised Plans and Specifications. If Department review of the submitted documentation by the Department identifies the need for correction to the plans and/or specifications, corrected copies shall be submitted. If the revised documentation is satisfactory pursuant to this Section, a construction permit shall be issued to the applicant.

d) Procedure After the Issuance of a Construction Permit. The Department must be notified of any modifications and/or additions to existing plans. The facility owner or permit applicant shall notify the appropriate Department regional office or authorized agent, as specified with the issuance of the permit, when construction, development or installation of the project has been initiated and

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again when construction, development or installation has been completed started.

An owner of a new swimming pool facility, or a facility that has undergone extensive modification or replacement of the pool structure, shall not operate, or allow to be operated, the swimming pool until a license for such operation has been issued by the Department. In order to apply for a license, an original license application form shall be completed and submitted to the Department with the appropriate fee. The license applicant shall contact the appropriate regional office to make arrangements for an inspection of the facility after making application and ensuring that the facility is in an operating condition and in compliance with this Part. A current license for a pool that is to undergo extensive modification of the pool structure shall expire when the modification is initiated. No currently licensed facility that has undergone development, or for which development is planned, shall be operated during or following such development until authorization of operation has been issued by the Department.

The owner, manager or other responsible party must keep a set of plans and specifications bearing the approval stamp of the Department at the pool or beach after the project has been completed.

e) Alterations, Modifications and Additions to or Repairs of Existing Facilities. The Department must be notified of any modifications and/or additions to existing pools. A permit is not required for modifications and/or additions to Repairs or remodeling of existing pools; however, such modifications or additions must be in compliance with design requirements in this Part. Alterations that meet the definition of development as defined in Section 820.10 of this Part shall require a construction permit.

f) Preliminary Concept Approval. The Department will review innovative design concepts and other design features that are not in strict compliance with this Part in advance of submission of plans and specifications to assure that the proposed concept or design will meet the intent of this Part. Preliminary concept reviews may be conducted at the request of the project designer so that the innovative design(s) can be explained. Water-Slide-Plan-Approval. Where a water slide is to be constructed at an existing swimming pool, plans and specifications must be reviewed and approved to be in compliance with this Part by the Department prior to construction. (See Section 820-2507)

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.110 Water Supplies

a) The water supply for drinking, showers, bathing, and culinary purposes and for all plumbing fixtures at swimming pools and bathing beaches

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as well as the supply serving the swimming pool property and any distribution system for such water supply shall be obtained from one of the following: 1) A community public water system constructed, operated and sampled in compliance accordance with the Rules for Public Water Supplies for public water supplies (35 Ill. Adm. Code: Subtitle F, Chapters I and II); 2) a non-community public water system constructed, operated and sampled, a non-community public water supply in compliance accordance with the Department's rules for Drinking Water Systems Code (77 Ill. Adm. Code 900), or a semi-private water supply in compliance with the Department's Public Area Sanitary Practice Code (77 Ill. Adm. Code 895).

b) A water source may be used to fill the swimming pool or to provide make-up water. The source of water used shall be designed and constructed in such a manner as to meet the water quality standards of the Department's Drinking Water Systems rules (77 Ill. Adm. Code 900). c) The swimming pool water supply used for filling a swimming pool supplies shall be capable of providing enough water to raise the water level in the pool at least one inch in three 3 hours.

(Source: Amended 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.120 Wastewater Sewage Disposal

a) General: Sewage (wastewater) generated from the operation of a swimming pool or bathing beach shall discharge to a public sanitary sewer. Where a public sewer is not available such sewage shall be discharged or to a system which complies with the Department's Private Sewage Disposal Code (77 Ill. Adm. Code 910).

b) Deck or surface area drainage water may be discharged directly to storm sewers, natural drainage areas, seepage pits or to the ground surface without additional treatment. Such drainage shall not result in nuisance conditions that which create an offensive odor, or which produce a stagnant wet area, or create which produce an environment for the breeding of insects.

c) Wash or backwash water from sand filters shall may be discharged to natural drainage areas, sanitary sewers, storm sewers, seepage pits or to the ground surface in a manner that does not result in a nuisance condition.

d) Diatomaceous earth filter wash or backwash water shall may be discharged as described in subsection (c) for discharge of backwash water from sand filters to one of the above after treatment consisting of one of the following: 1) Passing the wash or backwash water through a separation tank designed for removal of the diatomaceous earth and suspended solids.

2) Settling the wash or backwash water in a tank which is capable of holding the volume of one backwash. One backwash is defined as the amount of water generated from the backwash of the filters

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for a period of two minutes for diatomaceous earth filters, at the required backwash flow rate. The tank shall be dewatered after settling and prior to subsequent backwashes. Settled sludge shall be periodically removed to prevent flushing of solids during backwashing.

- d) Seepage pits or other disposal systems are used for the final disposal of swimming pool wash or backwash water, they shall be designed on the basis of the anticipated flow and the percolation rate as determined by the procedure outlined in the Department's Private Sewage Disposal Code. Seepage pit construction shall comply with the requirements of the Department's Private Sewage Disposal Code.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.130 Food Service Sanitation

All food service establishments operated in conjunction with swimming pools or bathing beaches shall be constructed and operated in accordance with the Department's Rules for Food Service Sanitation Code (77 Ill. Adm. Code 750). This applies to all food service establishments, whether permanent, temporary or mobile.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.140 Exemptions

- a) Design standards contained in Sections 820.200 to 820.250 shall not apply to a licensed swimming pool existing on or before May 20, 1999, except when, in the interest of public health or safety, remedial action to correct a condition not in compliance with a design standard is ordered by the Department or authorized agent. Examples of such conditions may include, but shall not be limited to, inadequate lighting or enclosure barriers, unsafe deck conditions, lack of depth markers, disinfection systems that do not allow the minimum disinfectant levels to be maintained, and previously cited violations that were not corrected as required. However, in accordance with Section 820.100(e) of this Part, development, repairs, remodeling or alterations of existing facilities shall comply with the design standards of this Part.

- b) Exempt facilities may be subject to operational procedures in addition to or in place of those specified in Section 820.340, as specified by the Department, in lieu of compliance with the design standards of this Part.

(Source: Added at 23 Ill. Reg. 6079, effective

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## Section 820.150 Variances

- a) The Department may approve variances to this Part when the variance will provide appropriate protection of public health and safety. A request for a variance may be submitted to the Department only by a facility owner or licensee, by a project designer, or by a permit applicant. A variance request must state the specific code requirement(s) for which a variance is sought and a complete description of the condition that does not or would not comply with this Part, the reason for the request, and an explanation of the manner in which the design will provide protection of public health and safety substantially equivalent to that provided by compliance with this Part. Where necessary, or when requested by the Department, plans and/or specifications showing an existing condition or proposed construction or development shall be submitted.

- b) The Department will notify the applicant in writing of its decision whether to approve the variance. The Department will give consideration to difficulties in complying with this Part and innovative designs.

- c) When granting a variance request, the Department may attach conditions that the permit applicant, facility owner or licensee, as applicable, must comply with as a condition of the variance. Failure to comply with such conditions shall constitute a violation of this Part.

- d) If, at any time, the Department finds that a variance has resulted in a compromise of public health or safety, or if the licensee or permit applicant has failed to comply with conditions attached to the variance, the Department shall revoke the variance. The licensee or permit applicant shall then take such action as is required to comply with this Part.

- e) A person from whom a variance has been revoked shall have an opportunity for a hearing before the Department in accordance with the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

(Source: Added at 23 Ill. Reg. 6079, effective MAY 20 1999)

## SUBPART C: SWIMMING POOL DESIGN REQUIREMENTS

## Section 820.200 General Design Requirements

Swimming pools and appurtenances, including other pools associated with or provided as appurtenances to swimming pools, shall comply with this Subpart.

- a) Enclosures  
1) The swimming pool area shall be completely enclosed by a protective wall, fence or other barrier. The entire barrier

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including doors and gates, shall be at least four feet high, measured on the inside and outside, and shall not provide ready footing for climbing, and shall prevent passage through it. The height of an opening under the bottom of the barrier shall not exceed four inches. The openings in any barrier shall not exceed four inches in width and height.

2) Each entrance into the pool enclosure area shall be equipped with a door or gate that is self-closing and self-latching. This requirement is not necessary when people enter the pool area through the bathhouse and lifeguards are provided in the pool area. Doors and gates at all entrances to the pool enclosure must be equipped with hardware that permits secure locking of the entrance.

3) Spectator areas, concession areas, and patio areas shall be completely separated from areas used by bathers by a barrier at least 3 1/2 feet in height as described in Section 820-200 (e)(1). A balcony shall not overhang or extend within 10 feet horizontally of any portion of the swimming pool water surface of a swimming pool.

4) Sand areas shall not be allowed inside of the pool enclosure unless a barrier is provided to control access to the pool. If access is allowed to such areas, an arrangement must be provided that requires bathers passing from the sand area to the pool area to pass through a shower facility with heated or tempered water for removal of sand.

b) Bather Load. The Department will compute a permissible bather load for each existing swimming pool area which must be adhered to during operation of the swimming pool. All swimming pools will have a bather load shall be specified with the issuance of a the construction permit for a new swimming pool. In the case of multiple swimming pools contained within a common enclosure, the Department may compute a combined bather load for the pool enclosure. The criteria to be used for computing the bather load are as follows:

1) Those portions of the swimming pool less than five feet in depth shall be designated the "Shallow Area." Those portions of the swimming pool five feet in depth or over shall be designated the "Deep Area." 2) Shallow Area. -- Fifteen square feet of pool water surface shall be required for each bather.

2) 3) Deep Area. 25 square feet of water surface shall be required for each bather, with 300 square feet deducted for each diving board or platform. Three hundred square feet of pool water surface area shall be reserved around each diving board or diving platform. -- This area shall be deducted from the total deep area. Twenty-five square feet of pool water surface shall then be required for each bather.

3) 4) The bather load for pools which are all shallow and wading pools shall be computed at 15 fifteen square feet of pool water surface area required for each bather.

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4) A designated plunge area or landing area for a slide, as specified in Section 820.250 of this Part, shall not be considered in computing a bather load.

5) One additional bather shall be allowed for each 50 square feet of pool deck area in excess of the minimum. Minimum deck areas are specified in Section 820.200(l)(1).

## c) Design

1) Sand beach areas shall not be allowed inside of the pool enclosure unless fenced off to prevent or control access by bathers. If access is allowed to such areas, an arrangement must be provided which requires bathers returning to the pool area to pass through a water spray which effectively covers an area from a height of approximately four feet to ground level.

2) Grass areas within the pool area shall be roped or fenced off from the pool deck. Access to such areas shall be prevented when bare areas are allowed to develop or when the grass is not regularly maintained, or when debris is allowed to accumulate or when a nuisance develops which creates a continual wet area, an unsightly condition, an offensive odor, or a muddy condition. The pool area is that area enclosed as required by Section 820-200(f)(1).

c) 1) Structure. A licensed architect or structural engineer registered engineer or architect who seals the plans shall certify that the pool is designed to withstand all anticipated hydraulic structural loadings for both full and empty conditions. All apertures to the pool, such as diving boards and slides, shall be designed to carry the anticipated load.

d) 1) Material. Pools shall be constructed of materials which provide a rigid watertight shell with a smooth, impervious, light colored finish which can be easily cleaned and which that is inert and non-toxic and easily cleaned. Sand or earth bottoms are not permitted. The floor of the pool shall be of the shallow areas area of the swimming pool shall have a slip-resistant non-slip finish. Pool vinyl liners may only be installed over a base of concrete, steel or other such rigid material. The pool bottom shall have a light colored finish.

f) 1) Shape. The shape of any pool shall be such that the circulation of pool water is not impeded.

e) 1) Obstruction. An obstruction creating a safety hazard shall not extend into or above the swimming pool, or shall not protrude from the floor of the swimming pool.

f) 1) Slope of Pool Floor Bottom. The floor of a pool shall slope downward toward the main drain. The slope in shallow areas of the bottom of any portion of the pool having a water depth of less than five feet shall not exceed be uniform and slope to the main drain, but shall not be steeper than one foot vertical in 12 twelve feet horizontal except for a slope directed downward from a where the transition point, occurs at a depth less than five feet and where the slope to the bottom is uniform and which shall not exceed one foot vertical in

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three feet horizontal where a safety rope is provided in accordance with 020-200(f)(1)(2). In portions of the pool with a depth greater than five feet, the front slope of the deep area shall not be steeper than one foot in three feet. The swimming pool floor below a depth of five feet shall be smooth to facilitate cleaning and movement of bottom sediments toward the main drain. The swimming pool floor below a depth of five feet shall slope toward the main drain. The slope requirements are illustrated in Appendix A: Illustration A.

#### Depth of Water:

- 1) The minimum depth of water in a swimming pool shall be two and one-half feet except for:
  - A) Recessed areas in swimming pools which are set aside primarily for the use of children. Such areas, when included as part of the pool, shall be separated from the pool proper by means of a safety line supported by buoys and attached to the side walls or by other suitable barriers that do not restrict the recirculation of the water, or
  - B) Special purpose pools where the pool is designated only for the use of swimming by children or special purpose pools which are designed and operated as wave pools. The special purpose design must conform to all other requirements of this Part unless a change is necessary for the operation and function of the pool, or
  - C) Zero depth pools where the bottom of the pool in the shallow end is designed and constructed to meet the pool deck surface at a slope not to exceed one in twelve. In such pools where the water depth is less than 2 1/2 feet, floor inlets shall be provided and spaced uniformly at a distance no greater than 20 feet apart and located not further than 20 feet from the point where the pool bottom intersects the deck, and not more than 20 feet from any wall. A continuous trench rain flush with the deck shall be provided along the point of zero depth. The trench shall have dimensions at least equal to the recirculation gutter dimensions.
- B) Diving pools or special lap pools.
- 9) Transition Point. Transition points shall be marked with a stripe on the pool floor having a width of at least four inches and a color that contrasts with that of the floor, and with a buoyed safety rope with colored buoys, installed at least one foot on the shallow side of the transition point. In other pools having adjoining shallow and deep areas, a safety rope with colored buoys shall be installed where the water depth reaches five feet. Whenever there is a transition point, devices for fastening safety ropes shall be installed at least one foot toward the shallow end of the pool from the transition point, and safety ropes and colored buoys shall be provided. Devices used for attaching the safety rope or racing lane divider ropes shall be recessed. If no transition point is provided, the safety rope shall be installed where the water depth reaches five feet.

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#### h) Pool Walls

- 1) Pool walls shall meet the following requirements: General--All swimming pools shall have walls which are vertical for at least 3 feet below the water surface.
  - A) Where the pool depth is 42 inches or less, pool walls shall be vertical to the floor. The junction of the wall with the floor shall consist of a cove with a radius not exceeding six inches.
  - B) Where the pool depth exceeds 42 inches, pool walls shall meet one of the following criteria:
    - i) The wall shall be vertical for a distance of at least five feet below the water level, below which the wall may angle to the floor; or
    - ii) The wall shall be vertical for a distance of at least three feet below the water level, below which the wall shall form a curve to the floor. The curve shall be tangent to the pool wall and shall have a radius of curvature at least equal to the vertical distance between the center of curvature and the pool floor.
- 2) On swimming pools where diving is permitted, walls shall be constructed to comply with one of the following criteria:
  - A) Walls must be vertical for at least six feet below the water level. (See Appendix A: Illustration B). Vertical may be considered as a slope of one foot horizontal for five feet vertical or in a from vertical, or
  - B) Walls must be vertical for at least three feet below the water level and then form a curve to the bottom. The curve shall have a radius which must be equal to the difference between the depth at the point of curvature (point #1 in Appendix A: Illustration B) and the pool bottom depth.
- 2)3) If pool safety ledges are provided, construction or safety ledges they shall have a maximum not be over six inch width inches wide, shall be located at least three feet below the water level surface, shall slope away from the pool wall and shall have a slip-resistant non-slip-finish surface with a color that contrasts with the pool walls and floor. 4) The pool wall below the safety ledge shall be constructed in accordance with the requirements of this Section except that the pool wall may slope inward toward the pool at an angle not exceeding 11 degrees from vertical Section 020-200(f)(2).
- 3) Underwater seat benches shall be located a maximum of 20 inches below the water level, be visually set apart, have a slip-resistant surface, and be recessed into the pool wall or be installed so that there are no exposed corners or vertical edges in the pool.
- 4)5) All junctions between the swimming pool walls, and between swimming pool walls and the swimming pool floor, shall be coved with a minimum radius of one inch.

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- 5) Devices for anchoring safety ropes and racing lane divider ropes shall be recessed into the pool wall.
- 6) An effective handhold shall be provided at or near the water level where the pool depth is 30 inches or greater. The handhold may consist of the rounded lip of a perimeter overflow system or bullnose coping with round, raised handhold not exceeding two and one-half inches in thickness, or other effective handhold. The handhold shall not protrude more than two inches into or over the pool. A tight-centered-smooth-waterproof-interior-finish-shall-be provided. The finish shall be non-toxic to many and smooth without cracks or joints.

## j) k) Depth Markers

- 1) The water depth shall be marked at or above the water surface on the wall of the swimming pool and on the edge of the deck next to the pool so as to be readable by persons entering or in the pool. Where depth markers cannot be placed on the walls at or above the water level such that at least 50% of the marking is above water level, they shall be placed on the pool wall as high as practicable and also on the fencing or pool enclosure so as to be plainly visible to persons in the swimming pool. Depth markings shall be provided at the shallow and deep ends of the pool, the transition point, and the point of maximum depth, and shall be spaced at not more than 25 foot feet intervals measured peripherally.

- 2) Depth markers shall indicate pool depth in either feet, feet and inches, or feet and fractions of a foot, be in numerals of four inches minimum height and shall be of a color that contrasts contrasting with the background. Numerals indicating depth shall be a minimum of four inches high.

- 3) In shallow areas, "no diving" markers at least four inches high must be located at not more than 25 foot intervals around the pool perimeter.

## j) l) Walkways and Deck Areas

- 1) Except for plunge pools and lazy rivers, pools shall be completely surrounded by a deck that is at least four feet in width and extends completely around and adjacent to the pool. There shall be no obstructions or interruptions of the pool deck within the four feet adjacent to the pool other than necessary structural supports, or appurtenances such as diving boards, slides, perimeter overflow systems, or handrails. A clear, unobstructed walkway at least 42 inches in width shall be maintained at such obstructions or interruptions. Swimming pools shall have a deck completely around the pool with no obstructions which could create a tripping hazard such as maintenance equipment other than ladders, slides, or diving boards that are part of the pool.

- 2) Structural supports located within the minimum required deck width or within four feet of the swimming pool shall be no closer

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than 10 feet apart measured parallel to the adjacent perimeter of the pool, with outdoor pools shall have a deck at least eight feet in width. Indoor pools or pools built in high-rise buildings shall have a deck which provides a walkway at least four feet wide completely around them. Structural supports within four feet of the pool edge may be allowed on the decks of indoor pools or pools built in high-rise buildings provided such supports are no closer than 10 feet apart measured along the perimeter of the pool. The dimension of any single support in a plane parallel to the adjacent pool perimeter shall not be greater than three feet and the sum of all such support dimensions shall not be greater than 10 percent of the pool perimeter.

- 3) The deck walkway between two adjacent swimming pools shall be at least eight feet wide. All decks and walkways shall have an unobstructed overhead clearance of at least seven feet in height.

- 4) Deck Coverings. The installation of deck coverings of synthetic material may be installed if it meets the following criteria: used only in separate sunbathing, patio or refreshment areas; synthetic nonfibrous pool deck coverings may be installed on the pool deck or in the bathroom provided the covering meets the following requirements:

- A) It is non-fibrous and allows drainage such that it will not remain wet or retain moisture;
- B) It is inert and will not support bacterial or fungal growth;
- C) It is durable;
- D) It is cleanable; and
- E) It provides a slip-resistant non-slip finish.

- 5) The deck shall slope at least one inch two inches per ten feet to deck drains or to the surrounding ground surface. The maximum slope of the pool deck shall not exceed one inch per foot.

- 6) Except for linear drains, deck Beck drains shall be located so that not more than 900 600 square feet of deck area is tributary to each drain, and deck drains shall not be more than 30 feet apart. Deck drains shall be located so that water does not drain more than 15 feet in any one direction. Where deck widths are 15 feet or less, deck drains are not required provided that the deck drains to the ground surface of the ground or that the water does not drain across the deck more than 15 feet in any one direction. The deck drains shall not be connected to the pool water recirculation system. Pools designed to operate where the pool water level is at the deck level, may be allowed to drain the first four feet of deck into the pool perimeter overflow system. Up to 10 feet of the deck adjacent to a zero-depth edge may be drained into the pool.

- 7) The decks and walkways shall have a paved, non-slip surface. The surface of the pool deck, and other surfaces used for foot contact, such as gratings of perimeter overflow systems, shall be

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## slip-resistant.

- 8) The outer perimeter of the deck for outdoor pools shall be at least four inches higher than the surrounding ground surface except where access is provided to adjacent turf areas.

- 9) Any opening in the deck shall have a locking type cover which is flush with the deck.

- 10) Hose bibbs ~~bbs~~ with vacuum breakers shall be provided for cleaning of all parts of the pool and deck (maximum separation 150 feet).

- 11) ~~Where there is a diving board, the deck shall extend a minimum of four feet behind the diving board.~~ ~~12) Except for wave pools, the vertical distance between the surface of the deck, pool curb or pool rim and the water level surface shall not exceed 10 inches.~~

- 12) A pool perimeter curb or raised rim, if provided, shall be at least four inches in height, measured above the adjacent pool deck surface. This requirement does not apply to a handhold provided in accordance with subsection (h)(6).

k) ~~m~~ Ladders, Step-Holes, Steps and Ramps and Stairs

- 1) Swimming pools shall have at least two means of egress, located near opposite ends. Pools 30 feet or more in width shall have at least four means of egress that which shall be located near each end and on opposite sides. A means of egress shall consist of a ladder, step-holes and grab rails, stair, ramp, or zero-depth edge or steps. The distance from any point with a depth greater than 30 inches in the swimming pool to a means of egress shall not exceed 50 feet. At least two ladders or sets of step-holes shall be located at the deep area portion of the swimming pool when more than one diving board is provided.

- 2) Step-holes shall have a minimum tread depth of five 5 inches. Where stairs, step-holes or ladders are provided within the pool, there shall be a handrail or grabrail at the top on both sides which extends to the edge of the pool ~~over the coping or edge of the deck.~~

- 3) Steps leading into a swimming pool shall be of contrasting color or marked or constructed to contrast from the pool floor and bottom have uniform size treads of at least 12 inches and a rise of no more than 12 inches. Steps shall be located where the water depth is three and one-half 3-1/2 feet or less, and they shall have no pointed or sharp edges. One sturdy handrail or grabrail per 12 feet of step width or fraction thereof, extending the length of the steps, shall be provided.

- 4) All ladders, step-holes, and steps shall have non-slip-resistant surfaces.

- 5) Ramps shall slope at no more than one in 12, shall have a slip-resistant surface, shall be no more than four feet wide, and shall have handrails on both sides.

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- l) ~~m~~ Drinking Fountains. A drinking fountain shall be provided for the use of bathers on the pool deck.

m) ~~o~~ Diving Area

- 1) Handrails shall be provided at all steps and ladders leading to diving boards ~~more than 1 meter above the water~~, except for those ladders set at 15° or less from the vertical. Platforms and diving boards which are one 1 meter or higher shall be protected with guard railings. One 1 meter diving board guard rails shall be at least 30 inches above the diving board and extend to the pool water's edge. All platforms or diving boards higher than one 1 meter shall have guard rails which are at least 36 inches above the diving board or platform and extend to the pool water's edge. Three 3 meter platforms and boards shall have a side rail barrier.

- 2) The dimensions of the diving area of a pool that constructed after February 16, 1976, which has diving boards or platforms of three 3 meters or less in height shall conform to those shown in Appendix A, Illustration C. In such pools, the distance from the plummet to the pool wall ahead shall be at least 34 feet at a minimum.

- 3) Swimming pools constructed ~~after the date this section is adopted~~ with diving facilities in excess of three 3 meters in height shall comply with dimensions given in Appendix B, Table A and illustrated in Appendix A, Illustration D. If the pool is used for general purpose swimming as well as diving and if slope N transitions from the deep to the shallow end, then transition slope N shall not be steeper than one 1 foot in three vertical for 3 feet horizontal.

- 4) There shall be no obstruction extending from the wall or the floor into the clear area of the diving portion of the pool. There shall be an ~~a~~ completely unobstructed clear distance of 16 feet above the diving board measured from the center of the front end of the board, and this clearance shall extend at least eight 8 feet behind, eight 8 feet to each side, and 16 feet ahead of the measuring point.

- 5) A plunge area shall be designated for each diving board or platform. There shall be no overlap from plunge areas of other diving facilities or slides. The plunge area for a diving board of one meter height or less shall extend four feet laterally from the center of the board on either side and for a distance of 28 feet in front of the tip of the board. For diving boards or platforms greater than one meter in height, the plunge area shall extend six feet laterally from the center of a diving board or from the side of a platform on either side and for a distance of at least 34 feet in front of the board or platform.

n) ~~p~~ Starting Platforms Swimming Pool-Sliding Boards

- 1) Starting platforms for competitive swimming shall not be installed where the water depth is less than five feet, except

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for existing starting platforms that were initially installed at a swimming pool before May 20, 1999.

- 2) Starting platforms that were installed at a swimming pool before May 20, 1999 shall be removed if not located where the water depth is at least 3 1/2 feet; or shall be relocated to a location where the water depth is at least 3 1/2 feet.

- 3) The height of starting platforms, measured above the pool water level, shall not exceed the following:

A) 30 inches for starting platforms located where the water depth is five feet or more.

B) 18 inches for starting platforms located where the water depth is less than five feet.

- 4) Edges of pool slide runways, ladders, handrails, and deck anchors shall be rounded to prevent cutting of swimmers during normal use.

- 5) Strength of the strength of the assembly shall be such that no structural failure of any component part will occur.

- 6) Steps of slide steps shall have a minimum tread of 2 inches and a minimum length of 12 inches. The riser height of treads shall be no more than 12 inches. All steps shall have a non-slip surface.

- 7) Dimensions of slides shall be constructed in accordance with the following dimensions and as shown in Appendix A, illustration E.

- 8) Slide Position  
A) Slides shall be positioned so that any water flowing off the end of the slide runway drops into the pool.

- B) Slides shall be positioned so that the centerline of the slide does not intersect the centerline of any diving board for a minimum of 7 feet from point A as shown in Appendix A, illustration F. If 2 slides are used in the same pool the minimum distance between their exits which is the distance between point C and point B in Appendix A, illustration F (EB) shall be computed from the following equation and shown in Appendix A, illustration F:  

$$EB = 0.3(h) + h_1 + 22$$
where h = height of first slide  
where h<sub>1</sub> = height of second slide

- C) The minimum distance between the centerline of a slide and a safety line when they are parallel shall not be less than 3 feet 6 inches. The intersecting distance along the centerline of the slide between a safety line and the runway exit shall be not less than 10 feet as shown in Appendix A, illustration F.

- D) The minimum height of the slide exit above the coping or deck edge shall be at least 8 inches. The maximum height of the slide exit above the water shall be in accordance with the following table:

Minimum Water

Maximum Exit Heights

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Depths "B" (feet) Above the Water "B" (inches)  
 3-5 20  
 over 5-6 24  
 over 6-8 30  
 over 8 42

- B) All required distances shall comply with those shown in Appendix A, illustration P.

- C) All slides shall be positioned so that the slide user cannot hit the edge of the pool, diving board, or other equipment at any point with arms extended. The minimum distance from the centerline of the slide runway to the edge of the pool or diving board shall be three feet six inches (3'6") at a point two feet six inches (2'6") minimum from the end of the slide.

- 6) Runway Exit Vertical Angle. The maximum allowable angle of the runway at exit of the slide shall be between 0° and 11° measured downward from the horizontal.

- 7) Handrails. Swimming pool slide ladders shall be equipped with handrails to aid the slider in safely making the transition from the ladder to the runway. Handrails shall begin at a point no more than 4 feet above the pool deck.

## O) Electrical Installation - Lighting

- 1) All aspects of the facility shall conform with the 1999 National Electrical Electric Code (1984 edition).

- 2) Artificial lighting shall be provided at all indoor pools and at all outdoor pools that are open for use where swimming is allowed after sunset in accordance with one of the following:

- A) Underwater lighting of at least 8.35 lumens or 0.5 watts per square foot of pool water surface area, located to provide illumination of the entire pool floor bottom; plus area lighting of at least 10 lumens or 0.6 watts per square foot of deck area.

- B) If underwater lights are not provided, at least 33.5 lumens or 2.0 watts per square foot of pool water surface area and deck area shall be provided.

- 3) Where portable electric vacuum cleaning equipment is used, electrical receptacles with ground-fault circuit interrupter protection grounded outlets and grounded extension cords with water-proof covers in good repair shall be provided used. Separation between receptacles outlets shall be a maximum of 100 feet. All receptacles installed in the swimming pool area shall have waterproof covers and ground-fault circuit interrupter protection.

- 4) Light dimmers may not be installed on underwater lighting or lights for the pool deck.

- 5) Lighting controls shall not be accessible to the public.

p) Acoustics. Indoor pools shall receive acoustical treatment.

q) Ventilation. Indoor pools including the dressing, shower, and toilet

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rooms shall be mechanically ventilated and have humidity control. The ventilation system shall be capable of admitting 0.5 cubic feet per minute of outdoor air per square foot of floor area, including water surface area, in the pool enclosure. Air-bather-preparation-facilities which-are-enclosed-shall-be-equipped-with-windows-or-mechanical ventilation-systems.

1) Plumbing. All plumbing shall be in accordance with the Illinois Plumbing Code (77 Ill. Adm. Code 890).

2) Emergency Telephone Safety-Equipment

1) Swimming-pools-having-an-area-of-more-than-2000-square-feet-of water-surface-area-shall-be-provided-with-an-elevated-lifeguard chair--An-additional-lifeguard-chair-shall-be-provided-for-each additional-2000-square-feet-of-pool-water-surface-area-or-major fraction-one-half-or-more-thereof--They-shall-be-located-to provide-a-clear-view-of-the-pool-bottom-in-the-area-under surveillance.

2) The-following-lifesaving-equipment-shall-be-provided-and-shall-be accessible-within-the-confines-of-the-pool-area:

A) A-U-S-Coast-Guard-approved-ring-buoy-with-a-length-of-rope at-least-equal-to-the-maximum-width-of-the-pool;

B) A-shepherd's-crook-at-least-12-feet-in-length;

3) Pools-larger-than-2,000-square-feet-in-area-shall-have-additional equipment-as-listed-above-for-each-2000-additional-square-feet of-pool-water-surface-area-or-major-fraction-thereof;

4) Every-swimming-pool-shall-be-equipped-with-a-first-aid-kit containing-the-items-shown-in-Appendix-B--Table-B-as-a-minimum.

5) Every swimming pool shall have a telephone which is accessible within the confines of the pool area or within 300 feet of the pool area, in case of emergencies.

t) Equipment Rooms

1) Equipment for swimming pool water treatment necessary-for swimming-pool-operation shall be housed in a lighted and ventilated room which affords protection from the weather and prevents unauthorized access.

2) The equipment room floor shall slope toward drains and shall have a slip-resistant non-slip finish.

3) A hose bibb with-a-vacuum-breaker shall be installed in the equipment room.

4) Suitable space, if not provided in the equipment room, shall be provided within the premises for storage of chemicals, tools, equipment, supplies and records where-they-can-be-acquired-by-the pool-operator-without-leaving-the-premises. The-storage-space and shall be weatherproof dry and protected from unauthorized access.

5) Electrical receptacles in the equipment room shall have ground-fault circuit interrupter protection.

u) Wave Pools. Wave Ait-pools-which-are-to-be-used-as-wave pools shall comply with the following, and, except as specified below, must-be

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designed-in-compliance with the requirements of this Section and Sections 820.200, 820.210 and 820.220 of this Part and-the-following:

1) Overflow gutters, skimmers, and inlets are not required along the deep end wall from which waves are generated is-perpendicular-to-the-length-of-the-pool.

2) Wave generating equipment must be installed and shall be provided with an emergency shut-off located at lifeguard chairs or stations on each side of the deep end of the pool.

3) A safety railing at least 30 inches in height shall be installed along the edge of the deck where the water depth is between 2 feet and 3 1/2 feet in depth.

4) The-water-depth-may-be-reduced-to-zero-at-the-shallow-end allowing-the-pool-bottom-to-meet-the-deck-provided-the-deck-does not-slope-steeper-than-1-in-12-in-the-shallow-end.

4) A safety rope will not be required if when the pool is to be being used only and-operated as a wave pool.

(Source: Amended MAY 20 1995 23 Ill. Reg. 6079, effective

## Section 820.210 Swimming Pool Water Treatment System

a) General. A water treatment system, consisting of pumps, piping, filters, water conditioning, disinfection equipment and other accessory equipment shall be provided to clarify, chemically balance and disinfect the swimming pool water. The system shall be designed for a recirculation flow rate that will result in a turnover period in each pool not exceeding those specified below. Systems serving pools with skimmers shall be designed for a flow rate of at least 30 gallons per minute for each skimmer.

Type of Pool	Maximum Turnover Period
Diving Pools	8 Hours
Wading Pools, Wading Areas	2 Hours
Plunge Pools and Plunge Areas for Water Slides	2 Hours
Lazy Rivers	2 Hours
Other Pools	6 Hours

Other than equipment for circulating, heating, filtering and chemically treating water, as specified in this Section, or for automation of water quality control, no other type of device may be utilized as part of a pool water treatment system.

b) Pumping Equipment

1) The recirculation pump and-motor shall deliver the flow necessary to obtain a the turnover as specified required in subsection (a) of this Section subsection-(4). A valve for regulating the rate

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of flow shall be provided in the recirculation pump discharge piping.

- 2) The pump shall must be of sufficient capacity to provide a minimum backwash rate of 15 gallons per minute per square foot of filter area per minute in sand filter systems. The pump or pumps shall supply the required recirculation rate of flow to obtain the turnover rate required at a total dynamic head of at least 7 feet for all vacuum filters, 7 to 8 feet for pressure sand or cartridge filters, or 8 to 10 feet for pressure diatomaceous earth filters, unless a lower head is or higher heads are shown by the designer to be hydraulically appropriate.
- 3) If the pump operates with static suction lift, is located at an elevation higher than the pool water line, it shall be self-priming.
- 4) Where vacuum filters are used, a vacuum limit switch control shall be provided on the pump suction line. The vacuum limit switch shall be set for a maximum vacuum of 18 inches of mercury.

- 5) A compound vacuum-pressure gauge shall be installed on the pump suction line as close to the pump as possible. A vacuum gauge may be used for pumps with suction lift. A pressure gauge shall be installed on the pump discharge line adjacent to the pump, with no valves between the pump and the gauge. Gauges shall be installed where they can be easily read.
- 6) Hair and Lint Strainer. A hair and lint strainer shall be installed on the suction side of the pump except on vacuum filter systems. The hair and lint strainer basket shall be easily removable cleanable without dismantling the equipment. Valves shall be installed adjacent to the strainer to allow the flow to be shut off during cleaning, switching baskets, or inspection.

- c) Swimming-Pool Water Heater. A pool water heater shall be installed at all indoor pools. Pool water heaters shall be installed in accordance with the manufacturer's recommendations. Where a swimming pool water heater is installed, the following shall apply:

- 1) The heater A swimming pool water heater piping system shall be equipped with a valve bypass pipe around the heater, sized for the swimming pool design flow rate. A valve shall be provided at the bypass and on the influent and effluent heater piping. The influent and effluent heater piping shall be valved, and shall conform to material specifications as approved for water distribution applications in the Illinois Plumbing Code.
- 2) A heating coil, pipe or steam hose shall not be installed in a swimming pool.
- 3) Thermometers shall be provided in the piping to check the temperature of the water returning from the pool and the temperature of the blended water returning to the pool.
- 4) The design of the water heating system shall be automatic temperature-limiting device which will prevent the introduction

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of water in excess of 115 to 100° F. to the pool and thermostat control shall be provided.

- 5) A pressure relief valve with a maximum pressure rating of 75 pounds per square inch, and having a thermal capacity at least equal to the heat input rating of the heater shall be provided, with the discharge and shall be piped to within six inches of the floor.

- 6) Venting of gas or other fuel burning water heaters to the outdoors shall be provided.

- 7) Heaters for indoor pools shall be capable of maintaining a minimum on-overall pool water temperature of between 76° F. and 84° F.

- 8) Combustion and ventilation air shall be provided for fuel burning water heaters as required by the heater manufacturer.

- 9) Heaters for indoor swimming pools shall be sized on a basis of 150 BTU per hour B-T-U-s/hr input per square foot of pool water surface area.

(1 kilowatt = 3,412 BTU/hr.)

- d) Flowmeter. Flowmeters A flow-meter shall be located so that the rate of recirculation and may be read the flow-meter shall be located so that the backwash rate of sand filters can be read. In a multiple pool system, flowmeters shall be provided for each pool. Separate flowmeters shall be provided to monitor the flow for each area of a pool with a turnover rate that differs from adjacent areas according to subsection (b)(1). Flowmeters shall be provided on inlet supply piping in accordance with subsection (f)(2)(F). Flowmeters shall be installed on a straight length of pipe with no valves, elbows or other sources of turbulence within 10 pipe diameters upstream or five diameters downstream from the flowmeter at a distance of at least 10 pipe diameters downstream and 5 pipe diameters upstream from any valve, elbow or other source of turbulence. (See Appendix A, Illustration G)
- e) Vacuum Cleaning System

- 1) A swimming pool vacuum cleaning system shall be provided. A pool vacuum cleaning system capable of reaching all parts of the pool floor bottom shall be provided.

- 2) A vacuum system may be provided which utilizes the attachment of a vacuum hose to the suction piping through the skimmer.

- 2a) When the vacuum cleaning system is an integral part of the swimming pool recirculation system, the a wall fitting shall connect be provided 8 to 12 inches below the normal water level. Piping from this connection shall be to the suction side of the pump ahead of the hair and lint strainer catchery shall be at least 1 1/2 inches in diameter and be equipped with a control valve near the junction with the pump suction line. The size of the vacuum hose shall be at least 1 1/2 inches.

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- 4) Automatic vacuum systems may be used provided they are capable of removing all debris from the pool bottom.

## f) Piping, Skimmer and Overflow System:

## 1) Piping.

A) The piping shall be in accordance with the material specifications in Exhibit G, Table B of the Illinois Plumbing Code--(77 Ill. Adm. Code 890-Exhibit G, Table B)--Piping used in the pool recirculation piping system shall comply with the Illinois Plumbing Code conform to the materials required for water service pipe or water distribution pipe as listed in 77 Ill. Adm. Code 890, Appendix A, Table A, Exhibit G, Table B, Footnotes E, F, G and H.

B) The piping shall be designed to carry the required flow quantities of water at velocities not exceeding five feet per second in suction piping, and 10 feet per second in pressure piping, unless greater velocities can be hydraulically provided justified. Gravity piping shall be sized so that the head loss in piping, fittings, valves, etc., does not exceed the head available during normal operating conditions. Difference in water levels between the pool and the operating level in the surge or filter tank.

C) The following waste lines shall be provided with six inch air gaps at their points of discharge to the waste sump or sewer:

- i) Main drain bypass or other connections to waste.
- ii) Sub-surface drains or deck drains around a pool that discharge to a sanitary or combined sewer.
- iii) Filter backwash or drain lines and overflow lines.
- iv) Surge tank drain and overflow lines.
- v) Pump discharge to waste lines.
- vi) Gutter bypass to waste lines.
- vii) Deck drainage systems which involve decks which drain toward the pool.

## 2) Inlets.

A) Inlets for filtered water shall be located and directed to produce uniform circulation of water to facilitate the maintenance of a uniform disinfectant residual throughout the entire pool without the existence of dead spots, and to produce surface flow patterns that effectively assist skimming. In pools with skimmers, inlets installed where the water depth is 18 inches or more shall be installed in the pool wall at a depth of eight inches to 16 inches below the mid-point on the skimmer throat. Each inlet installed in a wall of a pool where skimmers are utilized shall be directional. Each inlet shall be adjustable with regard to flow. Each inlet in pools with skimmers shall be directional.

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B) The velocity of flow through any inlet orifice shall be in the range of 5 to 20 feet per second, except in pools equipped with skimmers it shall be in the range of 10 to 20 feet per second. Velocities for various flows are shown in Appendix B, Table C.

E) Inlets for filtered water shall be located and directed to produce uniform circulation of water to facilitate the maintenance of a uniform disinfectant residual throughout the entire pool without the existence of dead spots, and shall produce surface flow patterns which effectively assist skimming. Inlets in pools with skimmers shall be 8" to 16" below the mid-point on the skimmer throat.

C) Inlets installed in pool walls shall be spaced as follows:

i) In the distance across the shallow end wall, portion of the pool is more than 15 feet, multiple inlets must be provided and spaced so that each inlet shall serve a linear distance of no more than eight feet in the shallow end wall.

ii) In pools with 17500 square feet of surface area or less, inlets shall be provided in the deep end wall, and spaced so that each inlet shall serve a linear distance of not more than 15 feet in the deep end wall, and

iii) In pools with a water surface area greater than 1,500 square feet or length in excess of 60 feet, additional inlets shall be provided along side walls placed at no more than 15 foot intervals around the entire perimeter, except that inlets shall be spaced as indicated in subsection (f)(2)(D) in the shallow end wall.

iii) The location of inlets in pools with skimmers may vary from the above requirements to allow locations that will assist in skimming.

D) At least one inlet shall be located in each recessed stairwell or other space where water circulation might be impaired.

E) Where floor inlets are used, inlets shall be uniformly spaced at a distance of no greater than 20 feet apart and rows of inlets shall be within 15 feet of each side wall. Floor inlets shall be installed in wading areas that are more than 30 feet in width. Floor inlets shall be flush with the pool floor and shall include a diffuser plate to evenly distribute the flow in all directions.

F) If both wall and floor inlets are utilized in a swimming pool, the wall inlets and the floor inlets shall be supplied by separate piping, with valves and flowmeters installed in each so that the flow can be individually regulated and monitored.

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6) A continuous flume, tubing or other arrangement near the pool water surface which serves as inlet supply piping and employs multiple "jet" inlets is approved provided the individual components of the system meet the requirements of subsections (f)(2) and (f)(4).

## 3) Outlets.

A) All pools shall be provided with a main drain at the deepest point to permit the pool to be completely and easily drained. The main drain shall be connected to the recirculation system. Openings must be covered by a proper grating which cannot be removed is not removable by bathers without the use of tools, and which cannot entrap their fingers. Openings of the grating shall be at least four times the area of the main drain pipe or have an open sufficient area so that the maximum velocity of the water passing through the grate does not exceed one and one-half  $1\frac{1}{2}$  feet per second, or six feet per second when drain grate is of the anti-vortex type. The maximum width of grate openings shall be one-half one-half inch. Main drains and all other suction outlets installed in a pool shall be designed to prevent bather entrapment by one of the following methods:

- i) Multiple drains located at least three feet apart, center to center;
- ii) One anti-vortex drain;
- iii) A single drain with a grate of at least 18 inches by 18 inches.

B) Multiple outlets shall be provided where the width of the pool is more than 45 feet. In such cases, outlets shall be spaced not less than three feet apart, nor more than 30 feet apart, nor more than 15 feet from side walls, and shall be connected in parallel series.

C) A hydrostatic relief valve shall be provided for in-ground pools. Subsurface drainage, if provided, shall not be directly connected to a sewer.

D) Main drain piping shall be sized for removal of the water through it at a rate of at least 100% of the design recirculation flow rate. At velocities specified in subsection (f)(1), the piping system shall be valved to permit adjustment of flow through it.

E) In cases where the pool cannot be drained completely through the main drain recirculation system, a portable pump and apertures which will effect complete pool drainage shall be provided with be accepted.

## 4) Perimeter Overflow Systems.

A) Pools swimming pools, other than pools designed and used exclusively for diving which have a width exceeding 30 feet shall have a continuous perimeter overflow system.

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B) A perimeter overflow system shall:

- i) extend completely around the pool except that interruptions not exceeding 25% of the pool perimeter nor 30 feet each may be allowed for steps, water slide entries, and side walls adjacent to zero-depth edges;
- ii) permit inspection, cleaning, and repair;
- iii) be designed so that no ponding or retention of water occurs within any portion of the system;
- iv) be designed to prevent the entrapment of bather's arms, legs, and feet;
- v) except at a zero-depth edge, have an overflow lip that which is rounded, provides a good handhold, and is level to within one eighth of an 0.2 inch. At a zero-depth edge, a trench drain covered with a slip-resistant grating installed flush with the pool deck and with the pool floor, and level to within one-eighth inch measured along the pool perimeter, shall be provided;
- vi) provide for the removal of all water and surface debris skimmed from the pool pool's surface;
- vii) be designed for removal of water from the pool pool's upper surface at a rate of at least 100% of the design turnover flow rate. When the surge volume is to be stored in the perimeter overflow system, the system must have the capacity to carry 50% of the design flow while maintaining the surge storage capacity;
- viii) discharge to the recirculation system;
- ix) be provided with drains and piping which will not allow the overflow channel to become "flooded" when the pool is in normal use; and
- x) have drain gratings with open area at least equal to two times the area of the outlet pipe and which can be removed for cleaning.

C) Surge Capacity. Perimeter All pools which have perimeter overflow systems shall be provided with a surge capacity of at least 0.6 gallon per square foot of pool water surface area. Surge capacity shall be provided either in a vacuum filter tank, in the perimeter overflow system, in the pool in conjunction with provision of surge weirs in the perimeter overflow system, or in a surge tank, or combination thereof. Valving shall be provided to maintain where necessary, to automatically retain water during periods of pool use and to discharge water during periods of non-use such that the proper operating water level in the pool is maintained at all times.

Surge weirs shall pass at least 50 percent of the design recirculation flow rate with the water level at the mid-level of the weir. A minimum of one weir shall be

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provided for each 500 square feet of pool water surface area or fraction thereof. Surge weirs shall be uniformly spaced around the pool perimeter. The mid-level of the weir opening shall be at least one inch but no more than two inches below the overflow lip of the perimeter overflow system. A flow-regulating device that will maintain a relatively constant flow rate as the water level is varied shall be included. Surge weirs shall not be utilized at a zero-depth pool.

5) Skimmers. Skimmers are permitted on pools where the whose width does not exceed 30 feet. Where skimmers are provided, the following shall be met:

- A) At least one skimmer shall be provided for each 500 square feet of water surface area or fraction thereof, with a minimum of two skimmers provided at any pool;
- B) Skimmers shall be so located to optimize skimming minimize interference with each other;
- C) Each skimmer and piping shall be designed so that it is capable of providing a flow-through trough rate of less than 30 gallons per minute;
- D) Skimmers shall be piped to provide approximately equal flow through each skimmer in parallel;
- E) The surface skimmer skimmer piping shall have a valve to permit adjustment of flow through it;
- F) Each skimmer shall be provided with an equalizer line at least 1 1/2 inches in diameter, located at least 1 foot below the lowest overflow level of the skimmer. (See Appendix A, Illustration H) A device that will restrict flow through the equalizer pipe during normal operation of the skimmer shall be installed, and a grate shall be installed at the intake to the equalizer pipe in the pool. The grate shall be a convex grate intended for this purpose or one that complies with subsection (f)(3);
- G) The skimmer shall be tested approved in accordance with NSF Standard 50 and listed by an approved certification agency by the National Sanitation Foundation (N.S.F.) Standards used by N.S.F. to determine compliance are available for inspection at this Department.
- H) Skimming devices shall be built into the pool wall;
- I) A basket which can be removed without the use of tools and through which all overflow water must pass, shall be provided;
- J) The skimmer shall be provided with a floating weir and shall operate at variations in water level over a range of at least 4 inches; and
- K) Skimmer pools shall have a handhold consisting of a buttnosed coping not over 2 1/2 inches thick for the outer 2 inches or an equivalent approved handhold as illustrated

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in Appendix A, Illustration H-

- g) Make-up Water. Make-up water shall be added. All pools shall be equipped for the addition of make-up water from a potable water source in accordance with one of the following: 1) Discharge through a fixed air gap of at least six inches to the pool, to a surge tank, or a vacuum filter tank, or other receptacle. When make-up water is added directly to the pool, the fill-spout shall be located under a low diving board or immediately adjacent to a ladder rail, grab rail, or fixed lifeguard chair platform. When added to a surge tank or vacuum filter tank, the 6-inch air gap shall be measured above the invert elevation of an overflow pipe at least 3 inches in diameter. There shall be no connection between a therapy pool or associated water treatment system with a swimming pool or its recirculation system.
- 2) Through piping with vacuum breaker protection approved in the Illinois Plumbing Code (77-III-Adm-Code-898);

## h) Filtration:

1) General: Filters shall comply with the following:

- A) All filters shall be approved in accordance with Standard 50 by the National Sanitation Foundation (N.S.F.) Standards used by N.S.F. to determine compliance are available for inspection at this Department.
- B) Pressure filters shall have pressure gauges on the inlet and outlet piping.
- C) Pressure filters shall have an observable free fall, or a sight glass shall be installed on the backwash discharge line.
- D) Pressure filters shall have a manual air relief valve at the high point.
- E) The filter backwash disposal facility shall have sufficient capacity to prevent flooding during the backwash cycle.
- F) All filters shall be designed so that they can be completely drained: Filters shall be drained through a 6-inch gap to a sump or sewer.
- 2) High-Rate Sand Filters.

- A) Turnover Rate: The turnover rate for high-rate sand filters shall be as shown in the following table:

## Type of Pool Turnover Required

Diving Pools	8-Hours or less
Wading Pools	2-Hours or less
All Other Pools	6-Hours or less

- B) Filtration Rate
  - 1) After June 1, 1984, the design filtration rate shall be approved in accordance with Standard 50 by N.S.F. prior to June 1, 1984, and where the filtration rate has not been listed by N.S.F., the filtration rate

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shall be a maximum of 15 gallons per minute per square foot of filter area.

ii) The backwash rate shall be 15 gallons per minute per square foot. See Appendix A7 illustration for approved method of installation.

## 3) Diatomaceous Earth Filters:

A) Turnover Rate: The turnover rate for diatomaceous earth filters shall be as shown in the following table:

## Type of Pool Turnover-Required

Diving Pools 8-Hours-or-Bess  
Wading Pools 2-Hours-or-Bess  
All Other Pools 6-Hours-or-Bess

B) Filtration Rate: After June 17, 1984, the design filtration rate shall be approved in accordance with Standard 50 by NSF-P. Prior to June 17, 1984, and where the filtration rate has not been listed by NSF-P, the filtration rate shall not exceed 1 1/2 gallons per minute per square foot of filter area on diatomaceous earth filters, except that the rate of filtration may be increased to 2 gallons per minute per square foot of filter area when continuous feeding of diatomaceous earth is employed. The filtration rate for regenerative diatomaceous earth filters shall not exceed 2 gallons per minute per square foot of filter area. See Appendix A7 illustrations J and K for approved methods of installation.

C) Filter Area: The determination of the filter area shall be made on the basis of measurements of the septum allowance shall not be granted for folds in the septum fabric.

B) Precoat Piping: A precoat pot shall be provided on the pump suction line for pressure diatomaceous earth systems. All diatomaceous earth filter systems shall have piping arranged to allow recycling of the filter effluent during precoating. Continuous Feed Rate: Where equipment is provided for the continuous feeding of diatomaceous earth to the filter influent, such equipment shall have a capacity to feed at least 1 1/3 ounces of this material per square foot of filter area per day.

F) Piping: Overflow piping on vacuum diatomaceous earth filters shall be provided on the filter tank to discharge overflow water.

G) Filter Cleaning: All filters shall be equipped for cleaning by one or more of the following methods: backwashing, air-bump assist, backwashing spray wash, mechanical or manual, or agitation.

## 4) Vacuum Sand Filters:

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A) Turnover Rate: The turnover rate for vacuum sand filters shall be as shown in the following table:

## Type of Pool Turnover-Required

Diving Pools 8-Hours-or-Bess  
Wading Pools 2-Hours-or-Bess  
All Other Pools 6-Hours-or-Bess

B) Filtration Rate: After June 17, 1984, the design filtration rate shall be approved in accordance with Standard 50 by NSF-P. The backwash rate shall be a 15 gallons per minute per square foot of filter area.

C) Overflow: Overflow piping shall be provided in order to drain overflow water.

## 5) Cartridge Filters

A) Turnover Rate

## Type of Pool Turnover-Required

Diving Pools 8-Hours-or-Bess  
Wading Pools 2-Hours-or-Bess  
All Other Pools 6-Hours-or-Bess

B) Filtration Rate: After June 17, 1984, the design filtration rate shall be approved in accordance with Standard 50 by NSF-P for public pools. Prior to June 17, 1984, and where the filtration rate has not been listed by NSF-P, the filtration rate shall not exceed 375 gallons per minute per square foot.

C) Duplicate Cartridges: A duplicate set of cartridges shall be provided.

1) Filters shall be certified to comply with NSF Standard 50 and listed as such by an approved certification agency. The design filtration rate in the particular application in which the filter is utilized shall not exceed the maximum design filtration rate for which the filter was certified. An official certification label from the certifying agency shall be permanently affixed to the filter.

2) Pressure gauges that indicate the inlet and outlet pressures of pressure filters shall be installed.

3) For pressure filters, an observable free fall discharge, sight glass or other means of determining the clarity of backwash water shall be provided.

4) Overflow piping shall be connected to vacuum filters if the rim of the filter tank is below the pool water level. Drain piping for vacuum filter tanks shall be provided.

5) The backwash rate for sand filters shall be at least 15 gallons per minute per square foot of filter area. A lesser backwash rate may be allowed when air scouring is utilized in accordance

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- with the filter manufacturer's specifications.
- 6) A filter backwash disposal facility, designed so that flooding, overflowing or excessive splashing does not occur when the filter is backwashed at the required flow rate, shall be provided where filters designed to be backwashed are utilized.
  - 7) A filter precoat pot or funnel shall be installed on the pump suction piping when diatomaceous earth filters are utilized, unless a precoat pot is provided as an integral part of the filter. The filter piping shall allow recycling of disposal or filter effluent during the precoat operation.
  - 8) If continuous feeding of diatomaceous earth is utilized with a vacuum diatomaceous filter in order to permit a design filtration rate higher than would otherwise be allowable, equipment capable of feeding diatomaceous earth at a rate of at least 1.5 ounces per day per square foot of filter area shall be provided.
  - 9) Filter media for sand filters shall be as specified by the filter manufacturer.

1) ~~Disinfectant and Chemical Feeders-~~

- 1) ~~General:--The minimum chemical feed equipment required at any pool shall include a unit for feed of a disinfectant--except as stated in subsection (1)(5)-~~
- 12) Equipment Capacity.

A) Chlorine. Equipment for supplying chlorine or chlorine compounds of chlorine shall be of sufficient capacity so that it is possible to feed the chlorine at a rate of eight parts per million for outdoor pools and at three parts per million for indoor pools, based on the flow rate required by the table in subsection (a) that would be necessary for a 2 hour turnover in wading pools and a 6-hour turnover in all other pools. Feed rates for various chlorinators and solutions are shown in Appendix B<sub>1</sub>, Table D.

B) Bromine. Equipment for supplying bromine shall be capable of delivering at least 15 parts per million for outdoor pools and five parts per million for indoor pools based on a minimum design flow rate as required by the table in subsection (a). Pot-----feeders-----for-----supplying bromo-chloro-dimethylhydantoin sticks shall contain at least 0.50 pounds of bromo-chloro-dimethylhydantoin per thousand gallons of pool capacity. The feeder shall have a method of feed rate adjustment.

C) Ozone.

- i) Ozone may be used as a supplement to chlorination or bromination as required in subsection (1)(12). Ozone generating equipment and its components shall be tested in accordance with NSF Standard 50 and listed by an approved certification agency. No more than one gram per day of ozone per 10 gallons per minute of flow rate will be allowed.

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- ii) The ambient air ozone concentration shall be less than 0.10 ±05 parts per million (p.p.m.) at all times either in the vicinity of the ozonator and or at the pool water surface. Ambient ozone monitors shall be installed in the equipment room, in the vicinity of the ozone generating equipment, and, when the ozonation system is utilized at an indoor swimming pool facility, in the swimming pool enclosure. Audible and visual alarms that are activated by ozone concentrations in excess of .10 parts per million shall be connected to the ozone monitor. The ozone generating equipment shall automatically shut off when the ozone concentration in the air exceeds 0.30 p.p.m. or when the pool recirculation flow is interrupted.

- iii) All corona discharge systems shall include a method for removing ozone in the water in excess of 0.1 p.p.m. prior to return to the pool.

23) Positive Displacement Pumps (Hypochlorinators). Where positive displacement pumps are used to inject the disinfectant solution into the recirculation line, they shall be of variable flow type, and shall be of sufficient capacity to feed the amount of disinfectant required by subsection (1)(12), and shall be installed such that feeding of chemicals is interrupted whenever the swimming pool recirculation flow is interrupted. Positive displacement pumps for feeding chlorine compounds or chemicals for control of pH shall be certified by a certified laboratory to conform to NSF Standard 50. If calcium hypochlorite is used, the concentration of calcium hypochlorite in the solution shall not exceed five 5 percent by weight. The solution container shall have a minimum capacity equal to the volume of solution required per day at the feed rate required in subsection (1)(12).

## 34) Gas Chlorinators.

- A) The chlorine supply and gas feeding equipment shall be housed in a separate, relatively air-tight room with an out-swinging door. The room shall be provided with an exhaust system which takes its suction not more than eight 8 inches from the floor and discharges out-of-doors in a direction to minimize exposure to toxic fumes. The fan shall be capable of producing one air change per minute. Means for introducing a fresh air supply to the enclosure through appropriate openings such as filters, grill openings, etc., at a high point opposite the exhaust fan intake shall be provided. The intake to the make-up air supply shall be located where the discharge from the exhaust system will not be drawn back into the room. The room shall have a window with an area of at least 100 sq. inches at least 10 inches square and shall have artificial lighting. Electrical switches for lighting and ventilation shall be

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outside and adjacent to the door. Scales for weighing chlorine cylinders in service shall be provided.

B) Chlorine cylinders either full or empty shall be anchored.

BE) The chlorine feeding device shall be designed so that during interruptions of the flow of the water supply, gas feed is automatically terminated. In addition, the release of chlorine shall be terminated when the recirculation pump is shut off. Where other than swimming pool recirculated water is used, the supply line shall be equipped with an electric shutoff valve wired to the recirculation pump and shall be equipped with a suitable backflow preventer. (See Appendix A, Illustrations illustrating L7-M7 and N for approved methods of installation.)

CB) Chlorinator vent lines shall terminate be conducted to the outdoors out-of-doors--similar--to--the--chlorinator--room exhaust-system. A screen made from a chlorine-resistant material shall be installed where the vent line terminates outdoors in order to exclude insects.

DB) The gas chlorinator shall be the solution feed type capable of delivering chlorine at its maximum rate without releasing chlorine gas to the atmosphere.

EP) The water supply for the gas feeding equipment shall produce the flow rate and pressure required according to the manufacturer's specifications for proper operation of the equipment.

6) A gas mask designed for use in a chlorine atmosphere shall be provided. A self-contained breathing apparatus may be provided instead of a gas mask. In the event of a chlorine leak, the fire department or an agency trained in the handling of chlorine spillage must be immediately contacted. The phone numbers of the fire department or above agency must be posted on the outside of the chlorine room door.

45) pH Control Feeders. At swimming pools with a volume greater than 100,000 gallons, or at swimming pools utilizing gas chlorine as a disinfectant, a chemical feed system feeder--of--positive displacement--type shall be installed for the purpose of applying chemicals to maintain the pH of pool water within the range of 7.2 to 7.6. The system must be installed so that the feeding of the pH controlling chemical is automatically interrupted whenever the swimming pool recirculation flow is interrupted. A solution tank of at least 15 20 gallons capacity shall be provided and shall be marked as containing a chemical to control pH. Alternatively, a system incorporating a cylinder of carbon dioxide and injecting mechanism may be employed to lower pH.

56) Erosion Type Chemical Chlorine Feeders.

A) Erosion type chlorine and bromine feeders shall be tested approved in accordance with NSF Standard 50 and listed by an approved certification agency by the N-S-F.

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B) Only Where erosion type feeders are used only the chemical specified by the feeder manufacturer shall be used as the disinfecting agent.

C) The rate of chlorine feed shall comply with subsection (f)(2). The chemical compound and percent chlorine in the compound as well as the feeder flow capacity shall be specified.

6) Copper/Silver and Copper Ion Generators. All copper/silver and copper ion generators shall be tested in accordance with NSF Standard 50 and listed by an approved certification agency and may only be used as a supplement to chlorination or bromination as required in subsection (i)(1).

7) Testing Equipment:

1) A colorimetric test kit shall be provided which is a DPD (Diethyl-p-Phenylene Diamine) type kit or which will determine free disinfectant residual and pH of the pool water.

2) Where chlorine is used as a disinfectant a test kit shall be provided which includes at least 4 chlorine color standards and at least 5 pH color standards. Chlorine standards shall range from 0.5 to 2.0 parts per million (ppm) and pH standards shall range from 7.0 to 8.0 as a minimum.

3) Pools using chlorinated cyanurates for disinfection shall have a test kit to measure the cyanuric acid concentration. The cyanuric acid test kit shall permit readings in excess of 200 ppm. Where bromine is used as a disinfectant, a colorimetric test kit shall be provided which will determine free bromine residual and pH. Five bromine standards shall range from 0.1 to 2.0 ppm.

(Source: Amended at 23 Ill. Reg. 6079 effective MAY 20 1999)

## Section 820.220 Swimming Pool Bath Preparation Facilities

a) General Pool Facilities. Bath preparation facilities shall be provided at swimming pools in accordance with subsections (b), (c) and (d) of this Section 820.220-(b)-(c)-(d) except where the pool is intended to serve living units (such as hotels, motels, apartments, condominiums, dormitories, subdivisions, travel trailer parks, and resident institutions) where the following conditions are met: 1) Each such living unit served contains at least one toilet and one shower and 2) The distance from the farthest living unit served is no more than within 500 feet of from the pool entrance enclosure.

b) Design Requirements Bathhouses.

1) Bath preparation facilities Bathhouses to be used by both sexes shall be divided into separate areas designated for each sex two parts, separated by a tight partition, and designated for men or women.

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- 2) Floors of bather preparation facilities bathhouses shall be slip-resistant of a non-slip surface, impervious to moisture, and sloped to drain at least one inch 2-inches in 10 ten feet. Material used for bathhouse floor covering shall be in compliance comply with Section 820.200(j)(1)(4).
- 3) The layout of bather preparation facilities bathhouses serving pools with bather loads of greater than 200 shall be such that passage from the showers to the swimming pool shall not require passage through dressing room areas and other dry areas of the bathhouse the bathers, on leaving the dressing room and/or dry toilet area, pass the wet toilets, and showers in that order enroute to the pool.
- 4) The rooms shall be ventilated and lighted.
- 5) A hose bibb bib with a vacuum breaker shall be provided in each side of the bather preparation facilities bathhouse.
- c) Showers, Toilets, and Lavatories. Showers and lavatories shall be provided with liquid or powdered soap dispensers. Showers shall be supplied with water at a temperature of at least 90° F and not more than 115° F with adjustable temperature controls that which prevent scalding. The number of fixtures provided shall be as shown in computed according to Appendix B, Table E. At a swimming pool used by school classes, one shower for every four persons in the largest class shall be provided for each sex, except that in no case shall the number be less than shown in Appendix B, Table E.
- d) Dressing Rooms. For pools with a bather load of more than 300 200, a the total dressing room area shall be provided for each sex shall be at least 5 percent of the water surface area of the pool served by the bathhouse. Shower and toilet areas and walkways shall not be considered dressing areas.
- e) Foot Spray. A foot spray, if provided, shall be supplied from the potable water system or the swimming pool recirculation system, have a spray head 18 to 24 inches above the walkway, have a conveniently located valve, be arranged to spray the bathers from knees to feet as they enter the enclosure, and have a drain.
- f) Foot Bath. No new footbaths may be constructed or installed after May 20, 1999. A foot bath, if provided, shall be supplied from the potable water system or the swimming pool recirculation system, with discharge through a 6-inch air gap to the basin, and with a continual withdrawal of water from the drain or overflow so that the depth of water does not exceed 4 inches.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.230 Wading Pools

- a) Floor Bottom. The floor bottom of a wading pool shall be slip-resistant non-slip and sloped to the main drain at least 2-inches

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- in 10 feet. The slope shall not exceed one vertical in 12 horizontal twelve. No obstructions such as raised drains or steps on which children may fall or become injured, shall be placed in the wading pool area. Designed play items shall be of a design and so located to provide maximum safety to the children.
- b) Material. The floor bottom and walls sides shall be of light colored impervious materials. All corners shall be coved.
- c) Walk Area. There shall be a walkway at least four 4 feet wide extending entirely around the pool sloped to drain away from the pool. The walks shall be constructed of impervious material with a slip-resistant non-slip finish. The walks shall slope not less than one inch 2-inches in 10 feet away from the pool edge. A hose bibb bib with a vacuum breaker shall be installed in the pool area.
- d) Barrier Fence. A fence or other effective barrier, at least 3 1/2 feet in height, to separate the wading pool from other pools, at least 3 1/2 feet in height, shall totally enclose be installed around the entire wading pool and shall separate the wading pool from other pools. Except with regard to height, the the barrier fence shall comply be in compliance with Section 820.200 (a). Any entrance into the wading pool enclosure shall be equipped with a self-closing and self-latching door or gate.
- e) Inlets. Inlets shall be provided as specified for swimming pools by Section 820.210(f)(2). At least two water inlets shall be installed. The inlets shall be located to produce uniform circulation of water without the existence of dead spots.
- f) Drains. A minimum of two main drains shall be provided at the low point, located at least three feet apart center to center and connected to the recirculation system the wading pool shall be equipped at its low point with a drain. The drains drain shall be piped and valved so that water from the wading pool can be drained by bypassing the filter. Drains shall be provided with grates in compliance with Section 820.210(f)(3)(A) and shall be flush with the pool floor.
- g) Overflow System. A perimeter overflow system shall be provided along at least one-sixth of the perimeter or as an alternative, a skimmer shall be provided for per each 500 square feet of water surface area or fraction thereof may be installed. The design of the overflow system shall conform to the requirements listed in Section 820.210, except that if a skimmer equalizer line is provided, it shall may be connected to installed in the pool bottom or the main drain line may be designed to serve as an equalizer line.
- h) Water Treatment. Recirculation and 7 filtration and disinfection equipment shall be installed and operated at wading pools that which cannot be adequately served by an adjacent swimming pool recirculation system or when existing equipment on adjacent swimming pool recirculation systems cannot meet the recirculation, filtration, and disinfection requirements of Section 820.210. Recirculation and filtration equipment shall have sufficient capacity to provide a pool

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volume-turnover-rate-of-once-every-2-hours-or-less. A separate disinfection system shall be installed and operated for the wading pool. The design of water recirculation, filtration, and disinfection systems shall be in conformance with Section 820.210.

- i) Make-Up Water---The make-up water shall be from a potable water source which complies with Section 820.110---the point-of-discharge---of make-up water---shall be at least 6 inches above the pool overflow level---Recirculated water from a swimming pool may be utilized as a make-up water source for an adjacent wading pool.
- j) Piping---All wading pool piping shall comply with the requirements of Section 820.210-(f).

(Source: Amended at 23 Ill. Reg. 6079-3, effective MAY 20 1999)

## Section 820.240 Spray Pools

- a) Material. Spray pools shall be constructed of an impervious material that which has a slip-resistant non-slip finish.
- b) Design-Slopes. The floor of a spray pool Spray--pool--bottoms shall slope at least one inch 2-inches in 10 feet and not more than one 1 foot in 12 feet toward the drain. No obstructions other than designed play items such-as-raised-drains-or-steps-on-which-children-may-fall or-become-injured shall be placed in the spray pool area. Designed play-items-if-provided-shall-be-of-a-design-and-so-located-to provide-maximum-safety-to-children.
- c) Drains. The spray pool shall be equipped at its low point with an unvalved drain. The drain shall be of such size and design that water sprayed into the pool will not pond in the pool floor bottom.
- d) Water Supply. The water supply sprayed-into-the-pool shall meet the requirements of Section 820.110, or be provided from the water treatment system from another pool. Alternatively, the water may be circulated from a tank or basin, with a water treatment system as required for a pool by Section 820.210 and designed to provide a turnover rate for the tank or basin of no more than two hours. Spray heads shall be installed so that they there will not be submerged no possibility-of-their-submergence.
- e) Hose Connection. A hose bibb bib-with-a-vacuum-breaker shall be provided within 75 feet of the spray pool for-cleaning-the-spray-pool.
- f) Walk Area. The spray pool shall be entirely surrounded by a walk constructed of impervious material which has a slip-resistant non-slip finish.
- g) Barrier Fence. A fence or other An effective barrier, at least 3 1/2 feet in height, shall totally enclose the spray pool and shall separate the spray pool from other pools 7-at-least-3-1/2-feet-in height-shall-be-installed-around-the-spray-pool-area. Except with regard to height, the barrier the-fence shall comply with the requirements of Section 820.200(a). Each entrance into the spray pool

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enclosure shall be equipped with a self-enclosing, self-latching door or gate.

(Source: Amended at 23 Ill. Reg. 6079-3, effective MAY 20 1999)

## Section 820.250 Water Slides

## a) General Requirements

- 1) Structure. All slides shall be designed and constructed in accordance with the manufacturer's instructions to carry the anticipated load. Plans for water slides shall be signed and sealed by a structural engineer licensed to practice in Illinois.
- 2) Steps. Slide steps shall be slip-resistant and have a minimum tread of two inches and a minimum length of 12 inches. The riser height of the steps shall not exceed 12 inches. Specific requirements that apply to water slides are included in subsection (b)(1) of this Section.
- 3) Plunge Pools. Plunge pools shall comply with Sections 820.200 and 820.210 except that, for a plunge pool for a water slide, a deck is not required where the slide exits into the pool.

## b) Water Slides

- 1) Design and construction. All curves, turns, and tunnels on the path of a flume shall be designed and constructed in accordance with the manufacturer's instructions.
- 2) Walkways. Walkways or stairs leading to the top of slides shall be slip-resistant, rigid, and have a four foot minimum clear width.
- 3) Slide Position
- A) A flume shall be perpendicular to the pool wall for a distance of at least 10 feet from the exit end of the slide. The last 10 feet of the flume shall have a slope that is not steeper than one in 10.
- B) A flume shall terminate between a depth of six inches below to two inches above the pool water surface level.
- C) The plunge area water depth shall be between two and one-half and four feet at the end of the flume and for at least 10 feet beyond. The pool floor slope in the plunge area shall not exceed one foot vertical in 12 feet horizontal.
- 4) Surge Reservoir. A surge storage reservoir shall be provided except where the pool water elevation will not be lowered more than one inch when the water slide pumps are in operation. The surge reservoir shall not be accessible to the public.
- 5) Plunge Area. There shall be a slide plunge area extending at least five feet on either side of the centerline of the slide terminus and 25 feet in front of the slide. This area shall not infringe on the plunge area for any other slides or diving

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equipment. Steps shall not infringe on this area. A water slide plunge area in a swimming pool shall be roped off from the rest of the pool when the slide is in operation. A means of egress shall be provided near the side of the plunge area opposite the flume terminus.

- 6) Grates. The intake openings for water pumped from the pool or beach must be covered by grating that cannot be removed without the use of tools. The grate openings shall be at least four times the area of the intake pipe or have an open area so that the maximum velocity of the water passing through the grate does not exceed one and one-half feet per second. The maximum width of the grate openings shall be one-half inch. Drains shall be designed to prevent bather entrapment as specified in Section 820.210(f)(3)(A).

## c) Drop Slides

- 1) Slide Position. There shall be a slide landing area extending at least five feet on either side of the centerline of the slide terminus and 20 feet in front of the slide. This area shall not infringe on the landing area for any other slides or diving equipment. Steps shall not infringe on this area.

- 2) Water Depth. The water depth directly below the slide discharge point and for a distance of 12 feet beyond shall comply with the following requirements:

Slide Platform Height above Water Level in Feet	Minimum Water Depth in Feet
3.5 to 5	8
5 to 10	10
10 to 12	12

- 3) Platform Height. The drop slide platform shall not exceed 12 feet in height, measured above the water level in the plunge area.

## d) Other Slides

- 1) There shall be a slide plunge area extending at least three feet six inches on either side of the centerline of the slide terminus and 20 feet in front of the slide. This area shall not infringe on the landing area for any other slides, water slides, drop slides, or diving equipment.

- 2) Unless the slide is designed by the manufacturer for safe exits at lesser water depths, the water depth and slide exit height above the water shall be in accordance with the following table. The exit height shall not exceed 48 inches above the water surface.

Exit Height Above Waterline, Inches	Minimum Water Depth, Feet
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0 to 6	2.0
6 to 12	2.5
12 to 18	3.5
18 to 24	5.0
24 to 30	6.0
30 to 42	8.0
42 to 48	10.0

- 3) Slides shall be positioned so that any water flowing off the end of the slide terminus drops into the pool.

- 4) Handrails. Slides shall be equipped with handrails to aid the slider in safely making the transition from the ladder to the runway. Handrails shall begin at a point no more than four feet above the pool deck. a) General. Water slides are subject to the rules stated in this Subpart when the water slide:

- 1) is located in a recreational area regulated under authority of the Campground Licensing and Recreational Area Act (210-1BES-9) or

- 2) Exits into an existing licensed swimming pool or bathing beach;

- 3) Exits into a pool designed and intended for general purpose swimming; or

- 4) is interconnected with a general purpose swimming pool either directly or through the recirculation or water treatment equipment for the swimming pool.

- b) Turnover. Rate. The water turnover rate shall be 2 hours or less except where a swimming pool is used as a plunge pool. In this case the turnover rate shall be in accordance with Section 820.210(h).

- c) Walkways. A four-foot minimum width, non-slip, paved walkway or steps shall be provided between the plunge pool deck and the top of the flume(s).

- d) Becks:

- 1) The deck around the plunge pool shall be at least four feet wider except at the side where the flume terminates. The plunge pool decks shall slope away from the plunge pool at least two inches in ten feet.

- 2) Deck drains shall be provided in accordance with Section 820.200(i)(6).

- e) Steps. Steps leading into the pool shall comply with Section 820.200(m)(3) and (4).

- f) Enclosure. The surge pool shall be enclosed in accordance with Section 820.200(a) to prevent access by individuals in the slide area.

- g) Fumes:

- 1) Position. A flume shall be perpendicular to the plunge pool wall for a distance of at least 10 feet from the exit end of the flume. The last 10 feet of the flume shall have a slope which is not steeper than 1 in 10.

- 2) Clearances. The distance between the side of a flume terminus and a plunge pool side wall shall be at least five feet unless the flume terminus is designed to move sliders away from the wall

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and the distance to an adjacent flume is at least 8 feet. The distance between sides of adjacent flume terminuses shall be at least five feet. The distance between a flume terminus and the opposite side of the plunge pool shall be at least 25 feet. Steps shall not infringe on this area.

- 3) Elevation: A flume shall terminate between a depth of six inches below the plunge pool operating water surface level and two inches above the water surface level unless the slide is provided with an exit flume designed by the manufacturer for safe exit at lesser depths.

- 4) All curves, turns, and tunnels on the path of a flume shall be designed and constructed in accordance with the manufacturer's instructions.

- 5) The construction, dimensions and the mechanical attachment of the flume components shall be such that the surface of the flume is smooth and continuous for its entire length.

A) Flumes and pools shall be watertight and their surfaces shall be chemically inert, nontoxic, smooth, and easy to clean.

- B) Each flume shall have a distinctive line or marking to indicate the starting zone in which only one rider at a time is permitted. This line shall be in accordance with the manufacturer's specifications or 30" whichever is the longer distance. A sign shall be posted at the top of the long distance. A sign shall be posted at the top of the slide warning all riders not to proceed down the slide until the rider in front of him has passed this line.

## h) Plunge Pools

- 1) Depths: The plunge pool operating water depth at the end of a flume shall be between 2 1/2 and 3 1/2 feet unless the slide is provided with an exit flume designed by the manufacturer for safe exit at a lesser depth. This depth shall be maintained in front of the flume for a distance of at least ten feet from which the plunge pool floor may have a constant slope upward to a minimum water depth of two feet. This slope shall not be steeper than 1 vertical in 12 horizontal. The bottom shall slope to the main drain at least 2" in 10 feet.

- 2) Surge Pool: A surge storage area shall be provided which will contain the water used for pumping onto the slide during periods when the slide is not in use except where the plunge pool is a swimming pool where the water elevation will not be lowered more than 1 inch when the flume pumps are in operation.

- 3) Swimming Pools: Where a swimming pool is used as a plunge pool the area where the slide exits shall be roped off from the area of the pool used for swimming and bathing. Distances to any roping shall comply with the clearances specified in Section 820-250(g)(2).

- 4) Water Treatment: Water from the swimming pool or plunge pool shall be

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treated and filtered in accordance with Section 820-210. Water shall meet the quality standards of Section 820-320. Where slides exit into a licensed bathing beach or a bathing beach located in a licensed recreational area or youth camp, the water shall meet the water quality standards of Section 820-400.

- 3) Bathing Preparation Areas: A dressing area and toilet facilities shall be provided for each sex.

## k) Supervision:

- 1) At least one attendant shall be on duty at all times when the slide is in operation in order to control the traffic of individuals using the slide. Attendants shall ensure that the slide is used in a safe and responsible manner. This attendant shall be qualified in both first aid and life-saving techniques through Red Cross, YMCA, or equivalent training. One attendant at the plunge pool shall not be assigned other duties that would distract his attention from proper observation of persons in the pool area or that would prevent immediate assistance to persons in distress.

- 2) When a continuous line of 5 or more people is waiting to use the slide, one or more attendants shall be on duty at the top and bottom of the slide to assist users, control timing of each person on the slide, and supervise all visible portions of the slide.

- 3) When the plunge pool is not visible from the top of the slide, a means of communication shall be provided between the attendants at the top and bottom.

- 4) Grates: The intake velocity for water pumped from any plunge pool to the slide shall not exceed 1 1/2 feet per second and the intake openings shall be protected by a grating. The maximum width of grating shall be 1/2 inch.

- m) During the operating season the operator shall:

- 1) Make a daily inspection of each flume and check for and eliminate any of the following conditions:

- A) loose railings  
B) leaking seals at butt joints  
C) rough patching at cracks or joints  
D) loose guards at turns  
E) unusual movement of flume bed when walked on  
F) growth of algae  
G) sharp edges and rough surfaces on flume and safety rails

- H) projection of any structure or plant growth near or into the flume.

- 2) Inspect areas weekly where chemicals are stored or dispensed checking for proper ventilation, lighting, cleanliness, proper labeling, and storage of chemicals.

- 3) Not use any mat which is not pliable and in good condition.

(Source: Amended at 23 Ill. Reg. effective 609-1-1)

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## Section 820.260 New Equipment, Construction and Materials (Repealed)

- a) General: The use of new equipment which has not previously been approved by the Department shall not be allowed unless such equipment has been approved in accordance with Standard 50 by N.E.P. and unless the equipment is installed and operated in accordance with the use for which it was approved.
- b) Construction Designs: The Department will grant construction permits and will grant up to 2 conditional licenses for the use of a new construction design which has not previously been approved provided information is submitted which will show that the construction design will result in a safe swimming environment which will meet the safety intent and water quality requirements of this Part. Conditional licenses shall be issued to each pool utilizing such new design. A 2-year performance evaluation will be conducted by the Department. If the design is found to produce an unsafe swimming environment, the pool shall be reconstructed in a manner which will eliminate the unsafe condition as stated by written order of the Department.

(Source: Repealed MAY 20 1999) 23 Ill. Reg. 6079, effective

## Section 820.270 Lazy Rivers

Lazy Rivers shall be provided with a water treatment system in accordance with Section 820.210. A system for effectively skimming the pool surface and uniformly distributing filtered water shall be provided.

(Source: Added at 23 Ill. Reg. 6079, effective MAY 20 1999)

## SUBPART D: SWIMMING-POOL OPERATIONAL REQUIREMENTS

## Section 820.290 Applicability of Operation Requirements

Swimming pools and other pools associated with or provided as an appurtenance to a swimming pool shall be operated in accordance with this Subpart D.

(Source: Added at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.300 Personnel

- a) Manager/Operator Manager-Operator. A pool manager/operator manager-operator shall be designated and shall be responsible for the operation of the swimming pool facility in compliance with this

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Subpart pools: The manager-operator shall submit the monthly operation reports and pool water samples.

- b) Lifeguards Lifeguards 1) A lifeguard, or lifeguard, shall be provided as specified below when persons under the age of 16 are allowed in the pool area without supervision by a parent, guardian or other responsible person at least 16 years of age. At facilities where lifeguards are not provided, a sign shall be posted that states "This facility is not protected by lifeguards. Persons under the age of 16 must be accompanied by a parent, guardian or other responsible person at least 16 years of age. Swimming alone is not recommended." at all swimming pools which allow bathers 16 years of age or under to enter the pool area without a responsible person 17 years of age or older present except when the parent or guardian of each person under 17 years of age submits written permission to the pool owner allowing individuals under 17 years of age to enter the pool area or swim without a lifeguard or a person 17 years of age or older present.

1) Certification Lifeguards shall be currently certified as such by the American Red Cross, the National Pool and Water Park Lifeguard Training Program, the YMCA, or another lifeguard certifying organization with an equivalent lifeguard certification program, as determined by the Department. Where the certification was issued with restrictions, the certification shall be appropriate for the duty to which the lifeguard is assigned.

2) Authority Lifeguards shall have the authority to order any person who does not comply with the rules of the Department or those of the facility to leave the pool.

3) Identification Lifeguards shall be dressed in swimming attire and be identified as a lifeguard. A copy of each lifeguard's certificate must be available for inspection at the facility. Minimum number. At facilities where lifeguards are required, the following minimum number shall be on duty:

A) At pools, one lifeguard per 200 bathers or 2,000 square feet of water surface area, whichever will result in the greater number;

B) At water slides or drop slides, one lifeguard within 50 feet of the discharge point of the slide. Such lifeguards shall not be responsible for guarding other portions of a swimming pool or beach.

2) All swimming pools which do not provide a lifeguard must post and enforce the following rule: "No person may enter the pool area alone or swim alone."

3) Where lifeguards are required, lifeguards shall comply with the following:

A) Lifeguards shall have a current life-saving certificate. Current training as a lifesaver or water safety instructor by the American Red Cross, YMCA, or equivalent will satisfy this requirement. The certificate of such competency shall

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- be prominently posted-
- B) More than one lifeguard shall be on duty at large pools and/or pools with a large number of bathers. Lifeguards shall be provided at a ratio of 1 per 200 bathers or 1 per 2000 square feet of water surface area, whichever is less.
- C) Lifeguards shall be dressed in swimming attire.
- 5) Lifeguards assigned to the supervision of the pool shall not be subject to duties that would distract their attention from proper observation of persons in the pool area, or that would prevent immediate assistance to persons in distress in the water.

c) Attendants

- 1) At least one attendant or lifeguard shall be on duty at the top of all water slides and drop slides when the slide is in operation in order to control the traffic of individuals using the slide. Attendants shall ensure that the slide is used in a safe and responsible manner. For multiple slides having a common starting platform, an attendant shall not be assigned to monitor more than two slides concurrently.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

Section 820.310 Safety Equipment

The following safety equipment shall be readily available for emergency use at all times when the swimming pool facility is open for use:

- a) Rescue Equipment. The following rescue equipment shall be provided and conspicuously displayed at swimming pools except when certified lifeguards are provided and each lifeguard is equipped with a rescue device approved by the lifeguard certifying organization. Lifesaving equipment shall be mounted in a location where the equipment can be seen and obtained anywhere on the deck. All such equipment shall be kept in good repair. Bathers shall not be permitted to tamper with use for any purpose other than its intended, or remove such equipment from its established location.
- 1) A U.S. Coast Guard approved ring buoy with an attached throw rope with a length at least equal to the maximum width of the swimming pool or 50 feet, whichever is less. One such buoy shall be provided for every 2000 square feet of water surface or fraction thereof.
- 2) A life hook or shepherd's crook at least 12 feet in length.
- b) First Aid Kit. The first aid kit. One or more first aid kits shall be kept filled with contents as required in Appendix B, Table B and ready for use. Items which have a shelf life shall be kept current.
- c) Emergency Telephone and Emergency Contact List. A telephone shall be accessible in the vicinity of the swimming pool, in or within 300 feet of the pool enclosure. At a multi-level facility, the emergency telephone shall be located within three levels of the level on which

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the pool is located. The telephone numbers of the local police, State Police state police, fire department, physician, ambulance service, and a hospital, or 911 where applicable, shall be posted in a conspicuous place near the telephone. The name, address and telephone number of the swimming pool shall be listed by the telephone. The location of the emergency telephone shall be posted in the swimming pool area unless the telephone is located in the pool area.

d) Lifeguard Stations. Lifeguard chairs or stations shall be located so as to provide a clear unobstructed view of the pool area under surveillance. All drownings and injuries requiring hospitalization shall be reported to the Department.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

Section 820.315 Notification

All drownings and injuries or illnesses requiring hospitalization shall be reported to the Department within 24 hours, and the Department's "Drowning and Injury Report" form shall be completed and submitted within seven days. This form contains instructions for contacting the Department.

(Source: Added at 23 Ill. Reg. 6079, effective MAY 20 1999)

Section 820.320 Water Quality

a) Testing Equipment

- 1) Water testing equipment for determining pH and disinfectant level of pool water shall be provided. The equipment for determining pH shall include at least five color standards with a range of pH 6.8 to 8.0, as a minimum.
- 2) Where chlorine is used as a disinfectant, a DPD-type test kit shall be provided that includes at least four chlorine color standards with a range of 0.5 to 3.0 p.p.m., as a minimum.
- 3) Where bromine is used as a disinfectant, a colorimetric test kit shall be provided that will determine free bromine residual and pH. The test kit shall include at least five bromine standards covering a range of 1.0 to 5.0 p.p.m.
- 4) Pools using chlorinated cyanurates for disinfection shall have a test kit to measure cyanuric acid concentration. The cyanuric acid test kit shall permit readings up to 100 p.p.m.
- 5) Where silver/copper or copper ion generators are used, a test kit to determine the concentration of copper shall be provided.
- b) Disinfectant Residual-
- 1) Where chlorine is used as a disinfectant, the A chlorine residual shall be maintained between 1.0 0-5 parts-per-million (ppm) and 4.0 2-0 p.p.m. as free available chlorine residual. A free

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chlorine residual of at least 2.0 p.p.m. shall be maintained when the pool water temperature exceeds 85° F.

- 2) Where bromine is used as a disinfectant, a A-bromine residual shall be maintained between 2.0 i-10-p.p.m. and 8.0 2-8 p.p.m. as total free-available bromine. A bromine residual of at least 4.0 p.p.m. shall be maintained when the pool water temperature exceeds 85° F.
- 3) Where chlorinated cyanurates are used, the cyanuric acid concentration shall not exceed 100 200 p.p.m.
- 4) When combined chlorine in excess of 0.5 p.p.m. is detected, the pool shall be superchlorinated to attain a free chlorine concentration of at least 10 times the combined chlorine concentration, or oxidized by other means to eliminate the combined chlorine the--presence--of--chloramines--is--determined, superchlorination-to-5-10-p-p-m-is-required.
- 5) Where silver/copper or copper ion generators are used, the concentration of copper shall not exceed 1.3 p.p.m. and the concentration of silver shall not exceed 0.05 p.p.m.
- 6) Where ozone is used, the ambient air ozone concentration shall be less than 0.1 p.p.m. at all times either in the vicinity of the ozonator or at the pool water surface.
- c) b) pH. The pH of the pool water shall be maintained between in-a-range of 7.2 and to 7.6. The Department may allow the maintenance of a higher pH in conjunction with maintenance--of--a--higher--disinfectant residual--in--special-cases-where-corrosive-water-supplies-dictate-the need-for-such-measures-for-protection-of-equipment.
- d) c) Turbidity. The pool water shall be sufficiently clear that the main drain grate a-back-diey-6-inches-in-diameter-on-a-white-background, when-placed-on-the-bottom-of-the-pool-at-the-deepest-point, is clearly visible from the pool deck.
- e) d) Alkalinity. The alkalinity of the pool water shall not be less than 50 nor more than 200 p.p.m. parts-per-million-(p-p-m-) as calcium carbonate.
- f) e) Temperature. The pool water temperature for indoor swimming pools shall not be less than 76° F. nor more than 92° F 84-p. The Department will allow variances from the above temperature limits--for special--use--purposes--such-as-competition--physical--therapy--or instruction-of-children--Variances-will-be-approved-provided-proofs-presented-showing-a-variance-from--the--temperature--requirements--is necessary--for-the-special-uses-stated--and-that-the-variance-will-not jeopardize-public-health. Air temperature at an indoor pool shall be higher than the water temperature.

(Source: Amended at 23 Ill. Reg. effective  
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## Section 820.330 Swimming Pool Closing

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The manager/operator shall immediately close the pool whenever a) --Criteria-For Closing-a-Swimming-Pool--Whenever any of the following conditions exist in-a swimming-pool,--wading-pool,--diving-pool,--or--plunge-pool,--it--shall--be immediately-closed:

- a) i) Conditions if-conditions at a swimming pool or bathhouse create an immediate danger to health or safety-as-determined-by-the-Department.
- b) j) Bacteriological When-bacteriological-analyses results show any of the following:
  - 1) A) Coliform concentration of 10 per 100 ml in two consecutive samples;
  - 2) B) Presence of fecal coliform, E coli, beta hemolytic Streptococcus or Pseudomonas in any sample;
  - c) j) Turbidity When--turbidity exceeds the criteria outlined in Section 820.320(d)(f).
  - d) k) A When-the disinfectant residual consisting of a minimum of 0.5 p.p.m. free chlorine or 1.0 p.p.m. bromine is not present or -below the-minimum-level-stated-in-Section-820-320(fa)--and the disinfection system is inoperable. If-the-chlorinator-or-disinfection-system-is inoperable, the-pool-shall-be-cleared-until-the-proper-residual-is obtained.
  - e) l) The total chlorine concentration exceeds 5 p.p.m. or the total bromine concentration exceeds 10 p.p.m.
  - f) m) When the recirculation pumps and/or the filters are inoperable.
  - g) n) When the pH of the pool water is less than 6.8 or greater than 8.0.
  - h) o) When a patron has defecated or vomited in the pool. When this occurs the manager/operator shall remove visible foreign matter and superchlorinate the affected area of the pool. The pool must remain closed for a minimum of 30 minutes following superchlorination, or longer if necessary, for the disinfectant residual to return to prescribed levels. When an incident occurs in a pool with a capacity greater than 50,000 gallons, the pool operator may elect to prohibit use of the affected area only in lieu of closing the pool.
  - i) p) When a suction grate is loose, improperly installed, damaged or missing.
  - j) q) When a written notice to close is issued by the Department, in which case the said notice shall be posted by the owner, operator or licensee at the entrance to the pool area. The pool shall remain closed until the Department has authorized the reopening of the pool.
  - c) r) When-the-conditions-resulting-in-the-issuance-of-a-closing-order have-been-abated, the-Department-will-authorize-reopening-of-the-pool.

(Source: Amended at 23 Ill. Reg. effective  
MAY 20 1999)

## Section 820.340 Operation and Maintenance

- a) Pool and Pool Area

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- 1) The swimming pool shall be maintained free from sediment, lint, dirt and hair. Cracks and other defects in the pool shall be repaired. The walls, ceilings, floors, and equipment and the pool proper shall be maintained ~~painted-as-often-as-necessary~~ so that they are protected from deterioration. All equipment shall be maintained in proper condition, with all required components in place. Equipment required to be NSF Standard 50 certified, including filters, skimmers and chemical feeding equipment, shall not be altered or modified in any way. ~~The bottom-and-sides-of the-swimming-pool-shall-be-maintained-so-that-they-are-free--from deterioration-~~
- 2) Pool decks shall be rinsed daily. Indoor pool decks shall be disinfected at least weekly. The walks ~~walk--areas~~, overflow gutters, counters, lockers, equipment, furniture, interior partitions and walls shall be kept in good repair, clean, and sanitary. No furniture, plants or other furnishings shall be placed within four feet of the pool. This area shall be kept free of obstructions such as chairs and baby strollers. The deck shall be kept free of tripping hazards, such as deck surface irregularities, hoses, baby strollers, and maintenance equipment. The deck, walkways and floors shall be free of areas with poor drainage that retain water.
- 3) Floats or tubes not in use must be removed from the pool.
- 4) Starting Platforms. Starting blocks shall not be used for any other purpose than competitive swimming activities.
- 5) Safety ropes shall be kept in place except when the swimming pool is being used exclusively for lap swimming or competition.
- 6) Access to grass areas shall be prevented when bare areas develop, when the grass is not regularly maintained, when debris is allowed to accumulate, or an unsightly condition, offensive odor, or a muddy condition exists.
- 3) ~~Food-and/or--Drinks---No--food---drink---or--smoking--shall--be permitted--in--a--swimming--pool--or--on--the--swimming--pool--decks, except--in--areas--separated--and--designated--for--this--purpose--in accordance--with--Section--020-200(a)(3).~~
- b) Perimeter Overflow and Skimmers. The perimeter overflow systems or automatic surface skimmers shall be clean and free of leaves or other debris ~~obstacles~~ which would restrict flow. The strainer baskets for skimmers shall be cleaned daily. Broken or missing skimmer weirs shall be replaced. The flow through each skimmer shall be adjusted as often as necessary to maintain a vigorous skimming action ~~at--each skimmer~~ which will remove all floating matter from the surface of the water. The pool water shall be maintained at an elevation such that ~~so--that~~ effective surface skimming is accomplished. A higher water level may be maintained during official swimming competition. For pools with perimeter overflow systems, adequate surge storage capacity shall be maintained so that flooding of the perimeter overflow system does not occur during periods of peak usage. The flow returning from

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- the pool shall be balanced or valved such that the majority of flow is returned through the perimeter overflow or skimmer system.
- c) Inlet Fittings. Inlets shall be checked frequently ~~so to insure that the rate of flow through each inlet establishes is-such-that a uniform distribution pattern is-established.~~ Inlets in pools with surface skimmers shall be adjusted as necessary to provide ~~assure~~ vigorous skimming.
  - d) Bather Preparation Facilities
    - 1) Floors ~~the-floors-of-dressing--rooms---shower--stairs--and--other interior-rooms~~ shall be cleaned and disinfected daily.
    - 2) Toilet rooms and fixtures shall be kept clean, free of dirt and debris and in good repair. Floors shall be maintained in a slip-resistant ~~non-slip~~ condition. Soap dispensers shall be filled and operable. A supply of toilet paper shall be provided at each toilet at all times.
  - e) Foot Baths. Foot baths shall be free of dirt, debris and other floating matter and shall be ~~---They--shall--be operated by on--the flow-through--principle--of continuously introducing fresh water and discharging used water to waste.~~
  - f) ~~Street-Attire---Street-shoes-shall-not-be-worn-on-the--pool--decks--or wet-areas-of-the-bather-preparation-facilities.~~
  - g) Security. Doors or gates in the swimming pool enclosure shall be kept closed and locked when the swimming pool is closed ~~not-open-for-use.~~
  - h) Bather Loaders
    - 1) The number of persons ~~in--bathing--attire~~ within a swimming pool enclosure shall not exceed the permissible bather load established by the Department. Additional patrons may be allowed at other recreational features within the pool enclosure, such as sand play areas, turf sun-bathing areas and picnic areas, if additional toilet facilities are provided. However, the number of patrons in swimming pools, wading pools or on the pool deck shall not exceed the bather load. 2) The ~~permissible~~ bather load shall be posted at the pool entrance ~~to--the--pool~~ or at a location where it can be seen by all patrons ~~swimmers~~ and shall be enforced by the manager/operator.
  - h) Electrical Systems ~~---Repairs~~ shall be maintained in accordance with the National Electrical Code.
  - i) Diving Equipment. Diving equipment shall be maintained in a safe condition, be securely anchored, and have a ~~slip-resistant non-slip~~ surface.
  - j) Vacuum Cleaners. Vacuum cleaning shall not be conducted when the pool is in use.
  - k) Operation of Mechanical Equipment-
    - 1) Manufacturers' instructions for operation and maintenance of mechanical and electrical equipment, as well as pump performance curves, shall be kept available at the pool. All valves and piping in the equipment room must be permanently identified as to use and direction of flow. A valve operating procedure must be provided in the equipment room for each operation (e.g.,

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- 2) recirculation, filtration, backwashing, etc.).  
Pumps, filters, disinfectant feeders, flow indicators, gauges, and all related components of the pool water recirculation system shall be kept in continuous operation 24 hours a day. A recirculation and filtration flow rate that will result in a turnover period as specified in Section 820.210 shall be maintained at all times, except for wading areas in swimming pools constructed prior to May 20, 1999 where such a flow rate cannot be attained without alteration of the recirculation system, in which case a recirculation flow rate that will result in a turnover period of no more than six hours shall be maintained in the wading area.
- 3) Recirculation Pumps. The pump shall not be throttled on the suction side during normal operation except for necessary regulation of flow through main drain piping. Recirculation pumps shall be kept in good repair and condition. The pump discharge or inlet supply line valve shall be adjusted as necessary to maintain the design flow rate.
- 4) Filtration.

- A) The filtration flow rate shall not exceed the maximum filtration design flow rate specified by the filter manufacturer for public swimming pool usage in accordance with NSF Standard 50. Where this rate is not known or has not been determined, the flow rate shall not exceed 15 gallons per minute per square foot of filter area for high-rate sand filters, 3 gallons per minute per square foot for other sand filters, 1.5 gallons per minute per square foot for diatomaceous earth filters, or 0.375 gallons per minute per square foot for cartridge filters, except that a filtration flow rate of up to 2.0 gallons per minute per square foot may be allowed where continuous feeding of diatomaceous earth is utilized with a diatomaceous earth filter in accordance with subsection (k)(3)(C)(iii).

BA) Sand Filters.

- i) The filter air release valve shall be opened as necessary, to remove air which collects in the filter; and following each backwash.  
ii) The filter shall be backwashed when the design flow rate can no longer be achieved, or when specified by the filter manufacturer, whichever occurs first.

CB) Diatomaceous Earth Filters.

- i) The dosage of diatomaceous earth precoat shall be at least one and one-half 1-1/2 ounces per square foot of element surface area. Pressure diatomaceous earth filters shall be backwashed when the design flow rate can no longer be achieved or when specified by the filter manufacturer, whichever occurs first. Whenever the recirculation pump stops or is shut off, the filter

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shall be thoroughly backwashed and the elements shall be precoated before placing the pump back into operation. Vacuum diatomaceous earth filters shall be washed when the design flow rate can no longer be achieved or when specified by the filter manufacturer, whichever occurs first. Backwashing shall not be performed when the pool is in use.

- ii) During prefiltering the precoat operation, the initial filter effluent shall be either recirculated through the filter until the filter effluent is clear, or the initial filter effluent shall be discharged to waste until properly clarified water is produced.
- iii) When continuous diatomaceous earth feed is utilized so that a filter may be operated at a filtration rate higher than would otherwise be allowable ~~required~~ ~~(filter-loading-rate-exceeds-1-5-gallons-per-minute-per-square-foot-of-filter-surface-area)~~, it shall be applied at a rate of one-half to one and one-half 1-1/2 ounces per square foot of surface area per day, or as needed to extend filter cycles.

D) Cartridge Filters. A clean extra set of filter cartridges shall be available at the pool.

- 5) Hair and Lint Strainers. Hair and lint strainers shall be cleaned to prevent clogging of the suction line and cavitation. The pump shall be stopped before the strainer is opened to avoid drawing air into the pump and losing the prime. In the case of diatomaceous earth filters, the hair strainer basket shall be cleaned immediately prior to precoat ~~during-the-time~~ the filter ~~is-being-backwashed~~.
- 6) Flowmeters. Flowmeters shall be maintained in an accurate operating condition. The glass and the connecting tubes shall be kept clean.
- 7) Vacuum and Pressure Gauges. The lines leading to the gauges shall be bled occasionally to prevent blockage.

## 8) Gas Chlorinators

- A) Gas chlorinators shall be repaired only by a person trained in servicing these units. The manager/operator shall post the telephone numbers of ~~determine~~ the appropriate emergency personnel to contact in the event of a chlorine gas emergency, ~~and have the telephone number of--said--personnel conspicuously-posted.~~

- B) Chlorine cylinders shall be stored indoors in the area designed for that purpose and away from a direct source of heat. They shall be chained or strapped to a rigid support to prevent accidental tipping. Cylinders shall not be moved unless the protection cap is secured over the valve. A National Institute of Occupational Safety and Health (NIOSH) or Mine Safety and Health Administration (MSHA) approved gas

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mask, approved for use in a chlorine atmosphere, shall be kept outside the chlorine room in an unlocked container at all times. The gas mask canister shall be replaced regularly as per the manufacturer's recommendations.

e) Chlorinators, gas lines, injectors, vent lines Chlorinator and cylinders shall be checked daily for leaks. Chlorine will produce a white smoke in the presence of ammonia. In case of a chlorine leak, corrective measures shall be undertaken only by trained persons wearing proper safety equipment. All other persons shall leave the dangerous area until conditions are again safe.

CB) Chlorinators, gas lines, injectors, vent lines Chlorinator and cylinders shall be checked daily for leaks. Chlorine will produce a white smoke in the presence of ammonia. In case of a chlorine leak, corrective measures shall be undertaken only by trained persons wearing proper safety equipment. All other persons shall leave the dangerous area until conditions are again safe.

## 9) Gas-Mask

A) A record shall be kept of gas mask usage to insure that the mask will be serviceable when needed. The gas mask shall be kept in a closed cabinet, accessible without a key, located outside of the room in which the chlorinator is located, and preferably outside the entrance to the equipment room.

B) A gas mask is not intended to be used as a breathing apparatus during the repair of a chlorine leak.

## 9a) Positive Displacement Feeders.

A) Positive displacement feeders shall be periodically inspected and serviced.

B) When a chemical feeder is used with calcium hypochlorite solution, to minimize sludge accumulation in the unit, the lowest practicable concentration of solution shall be used, and in no case shall this concentration exceed five percent. (This is about 20 pounds of 65% chlorine powder in 50 gallons of water). If liquid chlorine solution is used, the dilution with water is not critical to the operation of the unit. e) After first thoroughly rinsing with water, a small amount of mild acid solution may shall be fed through the unit periodically, to dissolve sludge accumulations.

1m) Chlorinated Cyanurates. The use of chlorinated cyanurates is subject to the following requirements:

- 1) Superchlorination superchlorination shall be accomplished by using a chlorine product other than a cyanurate; and
- 2) When the cyanuric acid level exceeds the maximum permissible limit of 100 ppm p.p.m., the pool water must be partially wasted and replenished with fresh water until the cyanuric acid concentration is less than 50 p.p.m.

## nn) pH Adjustment

- 1) Soda ash or caustic soda may be used to raise the pool water pH.
- 2) Caustic soda shall only be used in accordance with the manufacturer's instructions. Protective equipment and clothing, including rubber gloves and goggles, must be available for the

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handling and use of this chemical.

3) Sodium bisulfate, carbon dioxide gas or muriatic acid shall be used to lower pool water pH. Carbon dioxide cylinders shall be securely chained or otherwise restrained in a manner that will prevent tipping.

4) Hydrochloric (muriatic) acid shall only be used in accordance with the manufacturer's instructions. Protective equipment and clothing, including rubber gloves and goggles, must be available for handling this chemical.

5) The Department shall be consulted in the event of unusual pH problems including corrosion or scaling or wide fluctuations in pH.

## no) Algae Control

- 1) The development of algae shall be eliminated by superchlorinating superchlorinating to 10 p.p.m. parts-per-million and maintaining this level for several hours. The pool shall not be open for use during this treatment. If this superchlorination fails to eliminate the algae, the Department shall be consulted for further advice.
- 2) Treated algae which cling to the floor bottom and sides of the pool must be brushed loose, and removed by the suction cleaner and filtration system.

## op) Miscellaneous Chemicals

1) Chemicals shall be kept covered and stored in the original, labeled container, away from flammables and heat and in a clean, dry, well-ventilated place which prevents unauthorized access to the chemicals.

2) The chemicals used in controlling the quality of water shall be used only in accordance with the manufacturer's instructions.

3) If polyphosphates are used for sequestering iron, the concentration of polyphosphates shall not exceed 10 parts-per-million (p.p.m.).

pg) Acoustics. If noise in an indoor pool is excessive, such that safety instructions the lifeguard cannot be heard, corrective action shall be taken by applying suitable and durable sound-absorbing material to the walls and ceilings.

## q) Slides

1) Water slide equipment shall be maintained in a safe condition and securely anchored.

2) Only one rider at a time shall be allowed to enter a slide except when designed by the manufacturer for two or more riders.

3) For water slides and drop slides, when the plunge area is not visible from the top of the slide, a means of communication shall be provided between the attendant at the top and the lifeguard at the bottom.

4) At the entrance to water slides and drop slides, a sign shall be posted at the top of the slide warning all sliders not to proceed down the slide until instructed to do so by the slide attendant.

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## 27) Sanitation-Bathing-a-Swimming-Meet

1) Officials--in--street-clothing--allowed--on--the--pool--decks--during--a swimming-meet--for--during--classes--shall--be--required--to--either replace--street--shoes--with--clean-clogs--or--to--wear--clean--rubber shoes.--Spectators--shall--be--controlled--to--minimize--street--shoe traffic--on--pool--decks--and--the--decks--in--such--areas--shall--be disinfected--after--the--swimming--meet.

2) A water level higher than that required by rule is--allowed--only during an official swimming meet.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.350 Operation Reports and Routine Sampling

a) Operation Reports. The swimming pool manager/operator shall record swimming pool or other pool operational data daily on a report form furnished by the Department, or equivalent that shall be kept at the facility for a minimum of three years for inspection by the Department. A separate report form shall be completed for each pool in a multiple pool complex. The pool operator shall submit the completed operation report to the Department within 10 days after the end of the month. The operator shall keep one copy for his records. Such records shall be open to inspection by the Department at all times. The records shall be kept for one year.

b) Water Quality Testing. Disinfectant residual and pH tests shall be made on samples collected from the shallow section and from the deep areas section of each swimming pool, and from wading pools, plunge pools and other pools at least twice daily. Where chlorine is used as a disinfectant, testing for combined chlorine shall be performed at least weekly. In addition, where chlorinated cyanurates are utilized as a chlorine disinfectant, testing for cyanuric acid concentration shall be performed at least weekly.

c) Where ozone is utilized, testing to determine the ozone concentration immediately above the pool water surface shall be performed monthly.

(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## Section 820.360 Patron Personnel Regulations

Rules and Instructions. Rules governing the use of the pool and instructions to patrons bathers shall be displayed on placards provided by the Department, or equivalent, at the entrance to dressing rooms or the pool entrance and shall be enforced by the pool manager/operator. Such posting of rules and other instructions shall provide that:

a) Admission to the pool shall be refused to all persons having any contagious disease, infectious conditions such as colds, fever,

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ringworm, foot infections, skin lesions, diarrhea, vomiting, carbuncles, boils, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious. Persons with excessive sunburn, abrasions which have not healed, corn plasters, union pads, adhesive tape, rubber bandages, or other bandages of any kind shall also be refused admittance are--not--to--be--permitted. A person under the influence of alcohol or exhibiting erratic behavior shall not be permitted in the pool area.

b) The pool water is not suitable for drinking. Avoid swallowing pool water.

cb) Littering is prohibited. In addition, no No food, drink, gum or tobacco is will-be allowed in other than specially designated and controlled sections of the pool area. Glass containers are prohibited.

de) All persons are encouraged will-be-required to take a shower in-the nude-with-soap-and-warm-water before entering being--allowed--in the pool area.

d) Bathers who leave the pool area for any reason, are required to shower before returning to the pool.

e) The pool manager or pool facility shall have the authority to adopt requirements which would require swimmers with long hair to wear bathing caps.

ef) Personal conduct within the pool facility must be such that the safety of self and others is not jeopardized. No running, boisterous or rough play, except supervised water sports, is permitted.

fg) Only clean footwear, baby strollers, or wheelchairs are allowed in the pool area or bathhouse. People in street shoes and other spectators are--not--allowed--in--the--pool, on the pool deck, and in the wet areas of the bathhouse.

gh) Spitting, spouting of water, blowing the nose or otherwise introducing contaminants into the pool is not permitted.

hi) Glass, soap, tetter or other material which might create hazardous conditions or interfere with efficient operation of the swimming pool shall not be permitted in the swimming pool or on the pool deck.

ij) All apparel worn in the pool shall be clean.

il) All children who are not toilet-trained shall wear tightly fitting rubber or plastic pants.

k) Diving in shallow water less than five feet deep is not permitted except when allowed for competitive swimming and training.

l) Caution shall be exercised in the use of diving facilities boards.

m) Swimming is prohibited at outdoor swimming pools when lightning is present, including a 15-minute period after the last lightning observed.

n) If present, lifeguards are responsible for enforcing safety rules and responding to emergencies. Parents or guardians should supervise their children.

o) No one should swim alone.

p) The pool management has the authority to implement and enforce rules that are more stringent or that supplement those listed here.

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(Source: Amended at 23 Ill. Reg. 6079 effective  
MAY 20 1999)

**Section 820.380 Wading Pools, and Spray Pools and Therapy Pools**

- a) Aspects of the wading pool operation shall comply with Sections 820.300, 820.310, 820.320, 820.330, 820.340 and 820.350.
- b) The spray pool and associated deck areas shall be cleaned daily. Drains shall be kept clear. For spray pools that utilize recirculated water, the water shall be filtered and treated in accordance with Section 820.340, the water quality shall be maintained as specified by Section 820.320, and water quality testing shall be performed as specified by Section 820.350.
- c) Water in therapy pools located in a swimming pool enclosure shall be maintained so as to comply with disinfectant residual and pH standards in Section 820.320.

(Source: Amended at 23 Ill. Reg. 6079 effective  
MAY 20 1999)

**Section 820.390 Refuse Disposal**

- a) General. The equipment provided for the storage, collection, and disposal of refuse produced at a swimming pool or bathing beach shall be such that the creation of conditions detrimental to public health, such as rodent rat harborage, insect breeding areas, odors, air pollution and accidents are prevented.
- b) Containers. All refuse shall be stored in water-tight, metal or rigid plastic containers having tight-fitting lids. Containers shall be provided as needed throughout food preparation areas and eating areas to provide for enough collection of trash.

(Source: Amended at 23 Ill. Reg. 6079 effective  
MAY 20 1999)

SUBPART E: BATHING BEACH DESIGN AND OPERATION

**Section 820.400 Minimum Sanitary Requirements for Bathing Beaches**

- a) Initial Sanitary Survey. Prior to the issuance of a construction permit, the Department shall conduct a sanitary survey of the proposed beach. This survey shall include an evaluation of the physical, chemical and bacteriological characteristics of the bathing beach area, as well as any potential or actual sources of contamination in the watershed which could affect the beach. The presence of any such sources of contamination shall constitute grounds to deny the permit.
- 1) Physical Quality. The following characteristics shall not be present in the beach area or watershed:

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- A) Sludge deposits, solid refuse, floating waste solids, oils, grease or scum.
- B) Hazardous substances being discharged into bathing beach water or watershed.
- 2) Bacteriological Quality. The bacteriological quality of water at bathing beaches shall comply with the following criteria:
- A) At least two samples shall be collected from the proposed beach area and additional samples shall be collected from any tributaries as they enter the lake. Fecal coliform bacteria counts of 200 colonies/100 ml or an E. coli density of 126 colonies/100 ml in one or more samples shall require additional investigation, survey, special analysis and correction of any problems determined to be causing the high counts. Subsequent evaluation and satisfactory bacteriological results must be obtained before a construction permit will be issued.
- B) There shall be no sanitary or combined sewer discharges or other raw or partially treated sewage discharges to the bathing beach area or immediate watershed.
- 3) Chemical Quality. There shall be no discharges of chemical substances capable of creating toxic reactions, or irritations to the skin or mucous membranes of a bather.

b) Design

- 1) Bather Load. The bather load shall be established at all beaches constructed after May 28, 1997, by the registered engineer or architect who designed the project.
- 2) Beach and Swimming Areas. The wading areas at all beaches shall be separated from swimming and diving areas by lines securely anchored and buoyed. The slope of the bottom of any portion of the beach having a water depth of less than 5 feet shall not exceed 1 foot vertical for 10 feet horizontal. The slope shall be uniform. The bottom of the wading and swimming areas shall consist of sand or gravel. If disinfection or filtration is provided, it must comply with the requirements in Section 820.210.

3) Diving Facilities

- A) Where diving facilities are provided, the following minimum water depth must be maintained for a distance of at least 12 feet beyond the end and sides of the platform or board:

Height of Platform or Board	Minimum Water	Depth
0 - 1/2 Meter		9.5 feet
1 Meter		10 feet
3 Meters		12 feet

- B) Handrails, guardrails and steps shall comply with the

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requirements of Section 820.200(f)(1).

- 4) Safety Boundaries. The wading area shall be separated from swimming and diving areas by a line securely anchored and buoyed at a water depth of 5 feet or less. The limits of the swimming area shall be marked by buoys, poles, or other markers located not over 100 feet apart and visible to bathers from a distance of at least 100 feet. Within such limits of safe swimming, there shall be no boating, underwater obstructions, or other hazards which may be dangerous or cause injury to swimmers. Signs shall be provided on the beach describing such markers and stating that they indicate the limits of the swimming area.
- 5) ~~Water Slides and--Sliding--Boards. Slides~~ Water-slides shall comply with Section 820.250 ~~and-sliding-boards-shall-comply--with~~ Section-820-280(p).

c) Electrical Wiring. All electrical wiring shall be in accordance with the National Electrical Code in effect at the time of construction.

d) Bathhouses/Toilets

- 1) Requirements for Beaches Established After May 28, 1997 (New)  
For all new beaches established after May 28, 1997, a bathhouse shall be provided within 300 feet of the shoreline unless the beach is intended to serve only a residential development located around the lake, and 50 or fewer bathers are anticipated to be present per day. In such cases, at least one toilet or privy shall be provided within 300 feet of the shoreline. Bathhouses shall be designed in accordance with the requirements of Section 820.220(b) and (c). The bather load to be used to determine the required numbers of fixtures shall be provided by the registered engineer or architect who designed the project.

- 2) Requirements for Beaches Established Before May 28, 1997 (Existing)

All existing beaches shall comply with the bathhouse/toilet facility requirements in effect at the time they were constructed, but at least one toilet or privy must be provided when the number of bathers present per day is 50 or fewer. Two toilets or privies must be provided when the number of bathers present per day is 51 to 100. An additional toilet or privy must be provided for each 100 additional bathers. The maximum number of toilets or privies required is ten. The required toilets or privies must be located within 300 feet of the shoreline.

e) Bathing Beach Operation

- 1) Samples of bathing beach water shall be taken by the licensee applicant or manager/operator and submitted to the Department at such times and points as designated by the Department within the area utilized for bathing or swimming purposes. Additional samples shall also be obtained at any critical point subject to possible pollution as determined by a sanitary survey.
- 2) During operation, the following bacteriological water quality

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results shall warrant the actions described:

- A) A fecal coliform count of 500 colonies/100 ml or an *E. coli* count of 235 colonies/100 ml in each of two samples collected on the same day shall require closing the beach. The beach shall not be reopened until two additional samples collected on the same day are both less than 500 fecal coliform/100 ml or 235 *E. coli*/100 ml.
- B) A fecal coliform count of 500 colonies/100 ml or an *E. coli* count of 235 colonies/100 ml in any single sample of a two sample set shall require the submission of two additional samples to be collected on the same day within 24 hours after notification by the Department. If either of the two follow-up samples exceeds a fecal coliform count of 500 colonies/100 ml or an *E. coli* count of 235 colonies/100 ml, the beach shall be closed and not reopened until two additional samples collected on the same day are both less than 500 fecal coliform/100 ml or 235 *E. coli*/100 ml.
- 3) If a sanitary survey determines that there are discharges of sanitary or combined sewers, ~~or-of~~ other raw or partially treated sewage, or other hazardous substances to the beach or immediate watershed, or if hazardous materials are found at the beach, the bathing beach shall be closed by written order of the Department. Where schistosomiasis (swimmers' itch) is known to exist, appropriate measures shall be taken to protect the bathers. Such measures may include posting of warning signs, chemical treatment of the beach or closing the beach. Any chemical treatment shall comply with all federal, State and local requirements, including prior approval of the Department or its agent(s).
- 5) The beach manager/operator shall monitor the water depth around diving facilities and prohibit use of any such facilities which do not comply with the minimum water depth requirements of subsection (b)(3) of this Section.
- 6) For all beaches established after May 28, 1997, the beach manager/operator shall enforce the bather load established in subsection (b)(1) of this Section. Additionally, for all beaches the bather density in water less than 5 feet deep shall not exceed one bather per 25 square feet.
- 7) ~~No--swimming-shall-be-permitted-after-sunset-or-when-lightning-is present--~~
- 8) ~~No-pets-shall-be-permitted-in-the-beach-area--~~
- 9) ~~Feeding-of-wildlife--or--other--actions--which--encourage--their presence-is-prohibited--~~
- 7) The beach area shall be kept free of any debris including wastes from waterfowl or other wildlife.
- 8) Leakproof, covered refuse containers shall be provided at convenient locations in the beach area. They shall be emptied when necessary to avoid odors and insect breeding.
- 9) At times when the beach is closed seasonally or during normal

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hours of operation during the operating season, signs proclaiming the closing of the beach shall be prominently posted at the beach unless an effective barrier to prevent access to the beach area is in place.

- f) Lifeguards. Lifeguards shall be provided at bathing beaches which allow bathers under 16 years of age or under to enter the beach without a responsible person 16 17 years of age or older present. except when the parent or guardian of each person under 17 years of age submits written permission to the beach owner or manager/operator allowing such individuals under 17 years of age to enter the beach or swim without a lifeguard or responsible person 17 years of age or older present. Lifeguards shall comply with the requirements of Section 820.300(b).

## g) Safety Requirements

- 1) A U.S. Coast Guard approved ring buoy with at least 25 feet of rope shall be available at the beach when bathers are present.
- 2) A telephone shall be available within 500 feet of the beach when bathers are present. The numbers of the local police, fire department, rescue squad and ambulance, and/or 911 numbers shall be posted near the telephone. A portable phone may be used to meet this requirement. The phone may be located in a residence within 500 feet of the beach, provided it will be accessible at all times the beach is in operation. Unless located in the immediate beach area, a sign shall be posted indicating the location of the phone.
- 3) All drownings and injuries or illnesses requiring hospitalization shall be reported to the Department within 24 hours and the Department's "Drowning and Injury Report" form shall be completed and submitted within 7 days.

## h) Waiver

- 1) A homeowner's association may apply to the Department for a waiver of the requirements of subsection (d)(2) of this Section by making a written request signed by an officer of the association. The request must contain the following information:
  - A) The requirements from which the homeowner's association seeks a waiver;
  - B) Certification that a majority of the members of the homeowner's association or a majority of the board of directors representing the homeowner's association agreed to be exempt from the requirements requested. If the application for waiver is based on a decision of the board of directors rather than a majority vote of the members, the waiver request must also indicate that all members of the association were notified in writing of the decision to request a waiver and of the requirements from which the association is requesting a waiver. A copy of the notification to members shall be included with the waiver request;

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- C) Certification that the beach normally serves 50 or fewer bathers per day; and
  - D) Certification that the use of the beach is intended only for members of the homeowner's association and their guests.
- 2) Upon submission of the waiver application, a waiver shall be granted only if the following conditions are met:

- A) All water samples were submitted during the current or previous year as required by subsection (e)(1) of this Section; and
- B) The closure standards set forth in subsection (e)(2) of this Section were not exceeded during the current or previous year or, if the closure standards were exceeded, the Department or local health department determined that the cause of the unsatisfactory water quality was not an absence of toilet facilities at the beach.

- 3) A waiver granted by the Department shall be valid indefinitely, except as provided in this subsection ~~subsections (h)(3)(A)-(B) and (e) of this Section~~:

- A) A waiver shall become invalid immediately if the beach is closed due to a violation of the standards set forth in subsection (e)(2) of this Section, unless the Department or local health department determines that the cause of the unsatisfactory water quality was not an absence of toilet facilities at the beach;

- B) If the applicant or manager/operator fails to comply with a written order of the Department to submit water samples required by subsection (e)(1), the waiver shall become invalid the date the samples were specified to be submitted;
- C) A waiver shall not apply on any day the homeowner's association anticipates that the number of bathers will exceed 50 (for example, holiday weekends, special events, or parties).

- 4) When a waiver becomes invalid, the required toilet facilities shall be provided before the beach is allowed to operate. If a waiver is invalidated due to the conditions described in subsection (h)(3)(A) or (B), a new waiver application must be filed with and approved by the Department.

- i) The following rules governing the use of the beach shall be displayed on placards provided by the Department at the entrance to bathhouses or other conspicuous locations and shall be enforced by the beach manager/operator.

## REGULATIONS - BEACHES

The following rules govern the use of the beach and shall be enforced by the beach manager/operator.

- 1) The beach water is not suitable for drinking. Avoid swallowing beach water.

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- 2) Admission to the beach may be refused to all persons having any contagious disease, infectious conditions such as colds, fever, ringworm, foot infections, skin lesions, carbuncles, boils, diarrhea, vomiting, inflamed eyes, ear discharges, or any other condition which has the appearance of being infectious. Persons with excessive sunburn, abrasions which have not healed, corn plasters, bunion pads, adhesive tape, rubber bandages, or other bandages of any kind may also be refused admittance. A person under the influence of alcohol or exhibiting erratic behavior shall not be permitted in the beach area.
- 3) Littering is prohibited. In addition, no food, drink, gum or tobacco is allowed in the water. Glass containers are prohibited throughout the beach area.
- 4) All children who are not toilet-trained ~~infants~~ shall wear tight fitting rubber or plastic pants.
- 5) No one should swim alone.
- 6) Persons under the age of 16 ~~17~~ must be accompanied by a responsible person 16 ~~17~~ years of age or older unless a lifeguard is present.
- 7) Personal conduct within the beach must be such that safety is not jeopardized.
- 8) Diving in shallow water is not permitted.
- 9) Caution shall be exercised in the use of diving facilities.
- 10) Swimming is prohibited after sunset or before sunrise, or when lightning is present, including a 15-minute period after the last lightning observed.
- 11) No pets are permitted in the beach area.
- 12) Feeding of wildlife or other actions that encourage their presence is prohibited.

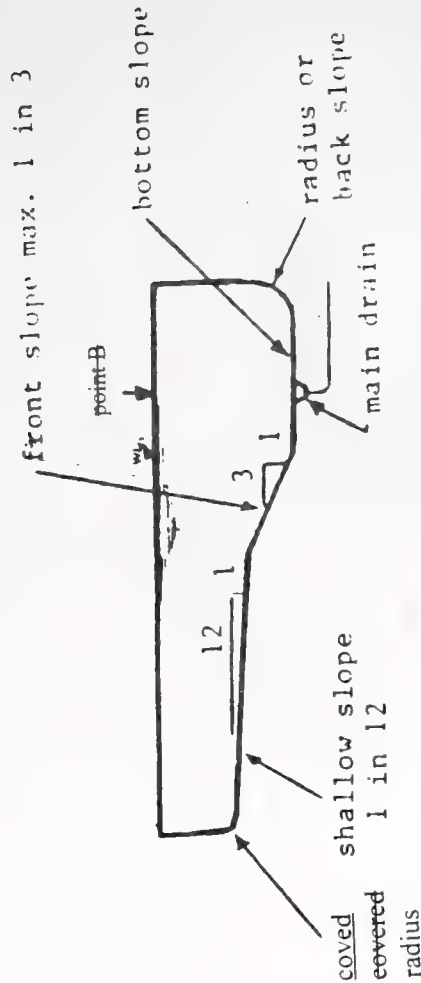
(Source: Amended at 23 Ill. Reg. 6079, effective MAY 20 1999)

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

Section 820 APPENDIX A Illustrations

Section 820 ILLUSTRATION A Slope of Pool Floor Bottom



DEPARTMENT OF PUBLIC HEALTH

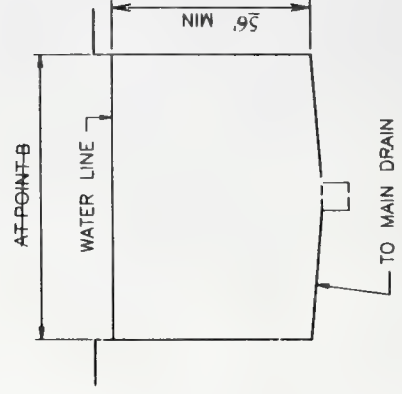
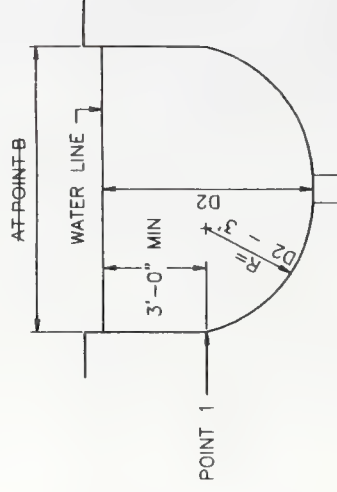
NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 23 Ill. Reg. 6079, effective  
MAY 20 1999)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Section 8.20 ILLUSTRATION B Pool Walls

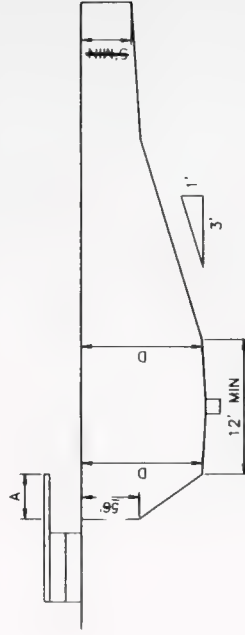
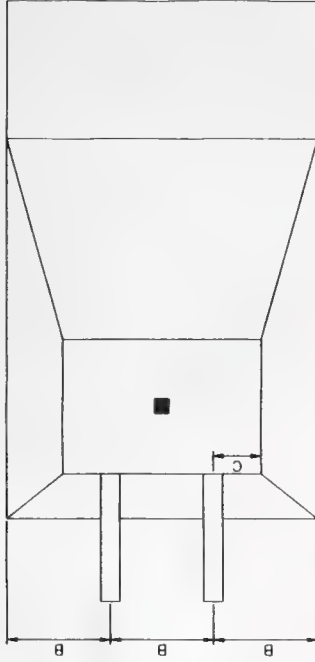


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NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 23 Ill. Reg. effective  
MAY 20 1999)

6079

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS  
Section 820. ILLUSTRATION C General Pool Diving Area Dimensions



MINIMUM DISTANCE INDICATED	≤ 0.5 M	1 M	3
A - ENDWALL TO TIP OF BOARD	3'	5'	10'
B - CENTER OF BOARD TO SIDEWALL OR ADJACENT BOARD	10'	10'	10'
C - CENTER OF BOARD LATERALLY TO POINT OF REQUIRED DEPTH	4'	4'	10'
D - DEPTH AT END OF BOARD AND FOR 12' BEYOND	9.5'	10'	10'

\* AS AN ALTERNATE TO THE MINIMUM WALL DEPTH OF 5' BELOW THE WATER LEVEL THE WALL MAY BE VERTICAL FOR A DEPTH OF 3' BELOW THE WATER LEVEL, BELOW WHICH IT MAY BE CURVED TO THE BOTTOM WITH A RADIUS EQUAL TO THE DIFFERENCE BETWEEN THE DEPTH AT THE BOTTOM AND THE DEPTH AT THE POINT OF CURVATURE

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Ill. Reg.

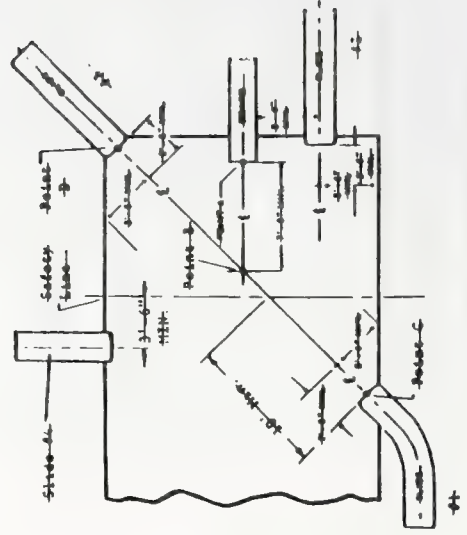
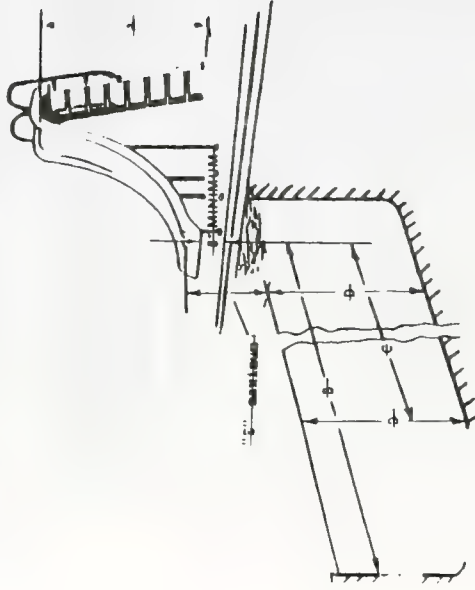
effective

(Source: Amended at 23 Ill. Reg. MAY 20 1999)

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NOTICE OF ADOPTED AMENDMENTS

Section 820. ILLUSTRATION E Slide Dimensions (Repealed)



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Section 820. ILLUSTRATION F Slide Position (Repealed)

NOTE:--Slides may be straight or curved. Center lines of straight portion of slide ends are referenced in this drawing. Where the above diagram conflicts with the requirements in Section 820.200(c), Section 820.200(c) shall prevail.

6079-

(Source: Repealed at 23 Ill. Reg. effective MAY 20 1993)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

(Source: Repealed at 23 Ill. Reg. effective MAY 20 1993)

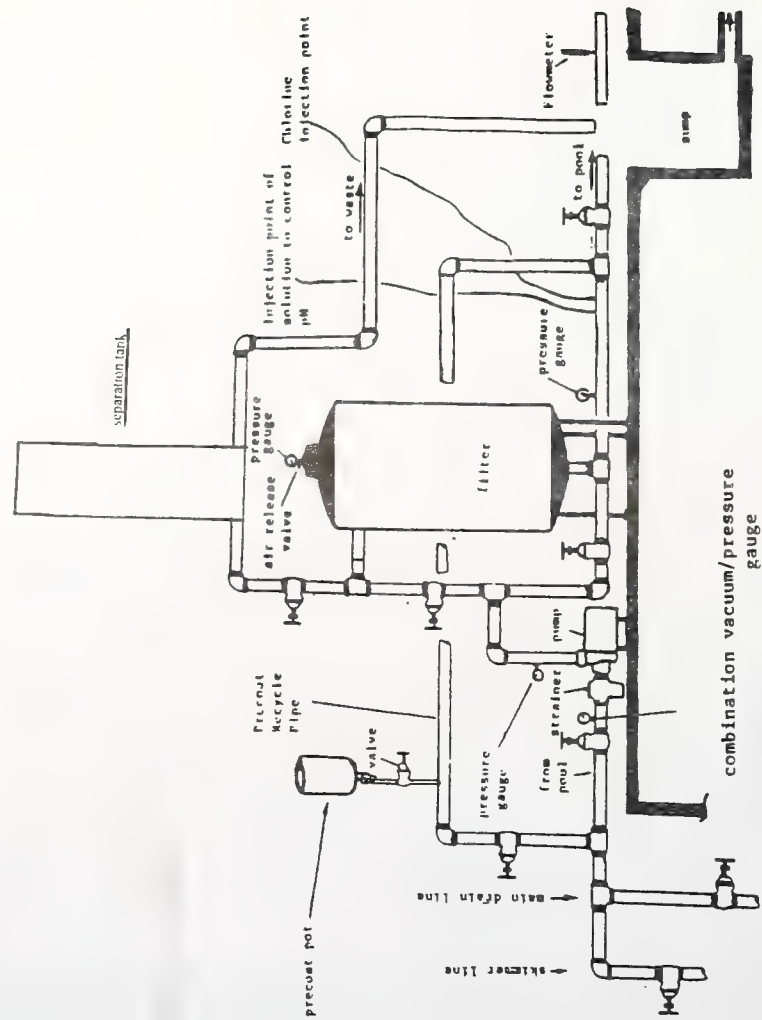
6079-

DEPARTMENT OF PUBLIC HEALTH  
NOTICE OF ADOPTED AMENDMENTS

(Source: Amended at 23 Ill. Reg. 6079, effective  
MAY 20 1999)

DEPARTMENT OF PUBLIC HEALTH  
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Section 820. ILLUSTRATION J Installation of a Pressure Diatomaceous Earth Filter System



## DEPARTMENT OF PUBLIC HEALTH

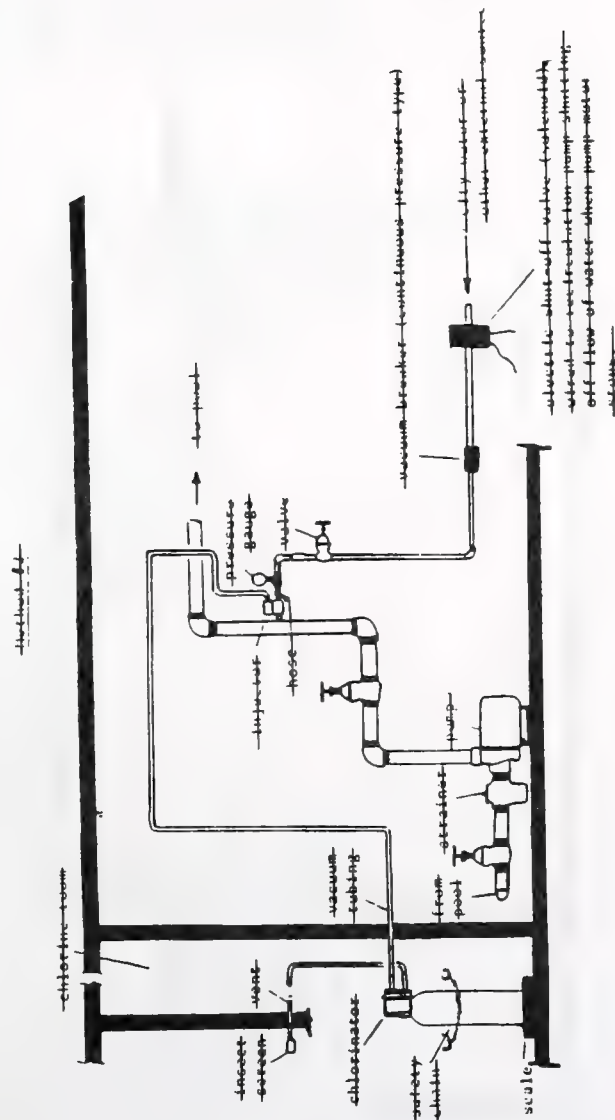
## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF ADOPTED AMENDMENTS

## NOTICE OF ADOPTED AMENDMENTS

### Section 820. ILLUSTRATION M

(Source: **RECEIVED** MAY 20 1999, 23 Ill. Reg. CU 9, effective

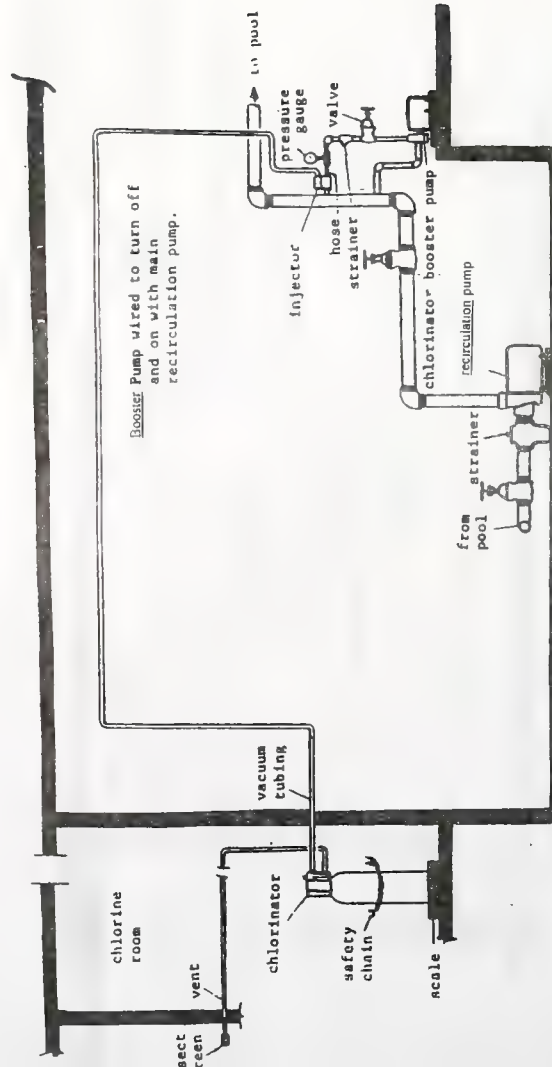


DEPARTMENT OF PUBLIC HEALTH  
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(Source: Amended at 23 Ill. Reg. 6079 effective  
MAY 20 1999)

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Section 820. ILLUSTRATION N Chlorine Injection into Return Line to Pool Using Booster Pump



## DEPARTMENT OF PUBLIC HEALTH

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## Section 820. APPENDIX B Tables

## Section 820. TABLE B First Aid Kit Contents

2 Units - 3" Bandage Compress  
2 Units - Eye Dressing Packet  
~~2 Units - Triangular Bandages~~  
1 Unit - Scissors - Tweezers  
1 Unit - Adhesive Tape 1"  
1 Box Band-Aids of Various Sizes  
Antiseptic  
2 Pairs Latex Gloves  
1 CPR Barrier Shield

(Source: MAY 20 1999 23 Ill. Reg. 6079, effective

## DEPARTMENT OF PUBLIC HEALTH

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## Section 820. TABLE C Flows Carried by Inlets

(IN GALLONS PER MINUTES)

Inlet Sizes	5 fps	10 fps	20 fps
3/8"	1.72	3.44	6.89
1/2"	3.06	6.12	12.24
5/8"	4.78	9.56	19.13
3/4"	6.88	13.77	27.55
7/8"	9.37	18.74	37.49
1"	12.24	24.48	48.97
1-1/4"	19.12	38.25	76.53
1-1/2"	27.54	55.08	110.19
2"	48.96	97.91	195.91

\*Orifice Diameter  
(fps) Feet Per Second

46X/31878

(Source: Amended at 23 Ill. Reg. 6079,  
MAY 20 1999)

effective

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## Section 820. TABLE D Sizing Swimming Pool Chlorinators and Brominators

(Chlorine dosage is based on a rate of 8 p.p.m. chlorine--dosage--rate for outdoor pools and 3 p.p.m. chlorine--dosage--rate for indoor pools at a 6 hour pool turnover flow rate. Bromine dosage is based on a rate of 15 p.p.m. for outdoor pools and 5 p.p.m. for indoor pools at a 6 hour pool turnover flow rate)

Pool Volume Gallons	lbs/day chlorine gas		gal/day hypochlorinator (calcium hypochlorite powder solution)		gal/day hypochlorinator (sodium hypochlorite) liquid, 10% chlorine - straight	
	Outdoor	Indoor	Outdoor	Indoor	Outdoor	Indoor
10,000	2.7	1.0	9.8	3.7	3.2	1.2
20,000	5.3	2.0	19.7	7.4	6.4	2.4
30,000	8.0	3.0	29.5	11.1	9.6	3.6
40,000	10.7	4.0	39.4	14.8	12.8	4.8
50,000	13.3	5.0	49.2	18.5	16.0	6.0
60,000	16.0	6.0	59.1	22.2	19.2	7.2
70,000	18.7	7.0	68.9	25.8	22.4	8.4
80,000	21.4	8.0	78.8	29.5	25.6	9.6
90,000	24.0	9.0	88.6	33.2	28.8	10.8
100,000	26.7	10.0	98.5	36.9	32.0	12.0
120,000	32.0	12.0	118.1	44.3	38.4	14.4
140,000	37.4	14.0	137.8	51.7	44.8	16.8
160,000	42.7	16.0	157.5	59.1	51.2	19.2
180,000	48.0	18.0	177.2	66.5	57.6	21.6
200,000	53.4	20.0	196.9	73.8	64.0	24.0
250,000	66.7	25.0	246.1	92.3	80.0	30.0
300,000	80.1	30.0	295.4	110.8	96.0	36.0
350,000	93.4	35.0	344.6	129.2	112.0	42.0
400,000	106.8	40.0	393.8	147.7	128.0	48.0
450,000	120.1	45.0	443.1	166.1	144.0	54.0
500,000	133.4	50.0	492.3	184.6	160.0	60.0
600,000	160.1	60.0	590.7	221.5	192.0	72.0
700,000	186.8	70.1	689.2	258.5	224.0	84.0
800,000	213.5	80.1	787.7	295.4	256.0	96.0
900,000	240.2	90.1	886.1	332.3	288.0	108.0
1,000,000	266.9	100.1	984.6	369.2	320.0	120.0

Pool Volume Gallons	lbs/day Bromine (Bromo-chloro- dimethylhy- dantoin)		Outdoor	Indoor
	Outdoor	Indoor		
10,000	1.7	1.7	10,000	1.7
20,000	3.3	3.3	20,000	3.3
30,000	5.0	5.0	30,000	5.0
40,000	6.7	6.7	40,000	6.7
50,000	8.3	8.3	50,000	8.3
60,000	10.0	10.0	60,000	10.0
70,000	11.7	11.7	70,000	11.7
80,000	13.3	13.3	80,000	13.3
90,000	15.0	15.0	90,000	15.0
100,000	16.7	16.7	100,000	16.7
120,000	20.0	20.0	120,000	20.0
140,000	23.4	23.4	140,000	23.4
160,000	26.7	26.7	160,000	26.7
180,000	30.0	30.0	180,000	30.0
200,000	33.4	33.4	200,000	33.4
250,000	41.7	41.7	250,000	41.7
300,000	50.0	50.0	300,000	50.0
350,000	58.4	58.4	350,000	58.4
400,000	66.7	66.7	400,000	66.7
450,000	75.1	75.1	450,000	75.1
500,000	83.4	83.4	500,000	83.4
600,000	100.1	100.1	600,000	100.1
700,000	116.8	116.8	700,000	116.8
800,000	133.4	133.4	800,000	133.4
900,000	150.1	150.1	900,000	150.1
1,000,000	166.8	166.8	1,000,000	166.8

Post-Volume Gallons	lbs/day chlorine-gas		gal/day-hypochlorinator-calcium hypochlorite-powder 70%-chlorine--5% solution)		gal/day-hypochlorinator-(sodium hypochlorite-liquid 15%-chlorine--straight)	
	Outdoor	Indoor	Outdoor	Indoor	Outdoor	Indoor
10,000	2.7	1	9.2	3.5	2.2	0.8
20,000	5.4	2	18.3	6.9	4.3	1.6
30,000	8.0	3	27.4	10.3	6.4	2.4
40,000	10.7	4	36.6	13.7	8.6	3.2
50,000	13.4	5	45.7	17.2	10.7	4.0
60,000	16.0	6	54.9	20.6	12.8	4.8
70,000	18.7	7	64.0	24.0	15.0	5.6
80,000	21.4	8	73.1	27.4	17.1	6.4
90,000	24.0	9	82.3	30.8	19.2	7.2
100,000	26.7	10	91.5	34.3	21.4	8.0
120,000	32.0	12	110.8	41.1	25.6	9.6
140,000	37.4	14	129.2	48.0	29.9	11.2
160,000	42.7	16	147.7	54.8	34.2	12.8
180,000	48.0	18	166.1	61.7	38.4	14.4

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Section	20	183	68-5	42-7	16-0
200-000	53-4	229	53-7	53-4	20-0
250-000	66-7	275	103	64-0	24-0
300-000	80-1	320	120	74-7	28-0
350-000	93-4	366	137	85-4	32-0
400-000	107	412	155	96	36-0
450-000	121	458	172	107	40-0
500-000	134	504	206	120	48-0
600-000	161	640	240	150	56-0
700-000	187	732	275	171	64-0
800-000	214	80	309	192	72-0
900-000	2	23	343	214	80-0
1-000-000	267	100			

(Source: Amended at 23 Ill. Reg. effective  
MAY 20 1999)

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Section	820-TABLE	E	Shower, Lavatory and Toilet Fixtures Required Per Bather Load
Bather Load	Toilets	Urinals	Fixtures Required (Male)
	Toilets	Urinals	Lava-tories
0-100	1	0	1
101-200	1	1	1
201-300	1	2	2
301-400	2	2	2
401-500	2	3	2
501-1000	3	3	2
1001-1500	4	6	2
1501-2000	5	6	2
2001+	6	7	3

(Source: Amended at 23 Ill. Reg. effective  
MAY 20 1999)

Bather Load	Fixtures-Required Male	Fixtures-Required Female
	Toilets-Urinals	Toilets-Urinals
	Dry-Wet-Dry-Wet	Dry-Wet-Dry-Wet
0-100	1	1
101-200	1	1
201-300	1	2
301-400	1	2
401-500	1	2
501-1000	1	2
1001-1500	2	2
1501-2000	2	2
2001-2000	2	2

(Source: Amended at 23 Ill. Reg. effective  
MAY 20 1999)

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JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 4, 1999 through May 10, 1999 and have been scheduled for review by the Committee at its May 18, 1999 meeting in Springfield. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start Of First Notice	JCAR Meeting
6/17/99	Department of Public Aid, Hospital Services (89 Ill Adm Code 148)	1/22/99 23 Ill Reg 847	5/18/99
6/17/99	Department of Children and Family Services, Licensing Standards for Foster Family Homes (89 Ill Adm Code 402)	2/16/99 23 Ill Reg 2435	5/18/99
6/17/99	Department of Natural Resources, Designation of Restricted Waters in the State of Illinois (17 Ill Adm Code 2030)	3/19/99 23 Ill Reg 3299	5/18/99
6/17/99	Department of Natural Resources, Consignment of Licenses, Stamps and Permits (17 Ill Adm Code 2520)	3/19/99 23 Ill Reg 3242	5/18/99
6/18/99	Department of Human Services, Aid to the Aged, Blind or Disabled (89 Ill Adm Code 113)	1/8/99 23 Ill Reg 380	5/18/99
6/18/99	Department of Human Services, Food Stamps (89 Ill Adm Code 121)	2/16/99 23 Ill Reg 2477	5/18/99
6/18/99	Department of Human Services, General Administrative Provisions (89 Ill Adm Code 10)	2/16/99 23 Ill Reg 2479	5/18/99
6/18/99	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	11/30/98 22 Ill Reg 20511	5/18/99

## PROCLAMATIONS

## 99-123

## CAMP PENEUEL DAY

WHEREAS, Camp Peneuel is an organization that provides a free camping experience to inner-city and underprivileged children from throughout Illinois and the Midwest; and

WHEREAS, Camp Peneuel has been providing children from communities in Chicago, East St. Louis and other areas with a wholesome camping experience for more than 20 years; and

WHEREAS, Camp Peneuel is having its Annual Spring Scholarship Banquet on April 17, 1999; and

WHEREAS, Camp Peneuel has given thousands of children the opportunity to enjoy the beauties of nature and learn about the outdoors;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 14, 1999, as CAMP PENEUEL DAY in Illinois.

Issued by the Governor April 1, 1999.

Filed by the Secretary of State April 9, 1999.

## 99-124

## DIVERSITY EMPLOYMENT DAY

WHEREAS, a diverse workplace is an economic necessity; and

WHEREAS, the success of a company in the new millennium depends on its ability to maintain a workforce that mirrors the diverse community that it serves; and

WHEREAS, the NAACP Diversity & High-Tech Job Fair will unite Illinois' leading employers with thousands of qualified diversity professionals; and

WHEREAS, the NAACP Diversity & High-Tech Job Fair offers employment opportunities and career guidance for professionals in accounting, hardware/software engineering, finance, management, marketing, sales and telecommunications; and

WHEREAS, the NAACP Diversity & High-Tech Job Fair will be held at Navy Pier in Chicago on April 20, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 20, 1999, as DIVERSITY EMPLOYMENT DAY in Illinois.

Issued by the Governor April 1, 1999.

Filed by the Secretary of State April 9, 1999.

## 99-125

## HAROLD WASHINGTON DAY

WHEREAS, Harold Washington served as a state representative from 1965 to 1977. During that time, he was principle author of many bills, including the Consumer Credit Reform Act, 1965; the Witness Protection Act, 1972; and the Dr. Martin Luther King, Jr. Holiday Act, 1972; and

WHEREAS, Harold Washington served as a state senator from 1977 to 1980; and

WHEREAS, from 1980 to 1983, he held a congressional office and was influential in garnering support for the amendment to the Voting Rights Act; and

WHEREAS, from 1983 to his untimely death in 1987, Harold Washington served as the mayor of Chicago; and

WHEREAS, Harold Washington's messages inspired people in all communities; and

WHEREAS the Chicago Public Library is sponsoring its annual commemorative birthday celebration in honor of Harold Washington with the program theme "Harold Washington: Scholar for the Ages;"

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 15, 1999, as HAROLD WASHINGTON DAY in Illinois.

Issued by the Governor April 1, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-126

##### HOMEBUYER'S FAIR WEEK

WHEREAS, the Rockford Area Affordable Housing Coalition, Inc. (RAAHC) is a group of representatives of housing providers, local lenders, realtors, title companies, human services providers, government agencies, foundations, neighborhood associations, and individuals working with local government to coordinate the planning and implementation of a long-term strategy to improve neighborhoods and increase the availability of quality, safe, accessible and affordable housing for lower income families through advocacy, networking and education; and

WHEREAS, last year RAAHC presented the Second Annual Homebuyer's Fair and attracted approximately 300 renters, first-time homebuyers and low-income families who started on the path to homeownership; and

WHEREAS, RAAHC, in association with Fair Housing Month, presents the award-winning Third Annual Homebuyer's Fair on April 17-19, 1999; and

WHEREAS, on Tuesday, April 13, the First Annual Kick-Off Luncheon to raise awareness of the Homebuyer's Fair and the Rockford Area Affordable Housing Coalition will take place at the City Plaza; and

WHEREAS, on Saturday, April 17, the "Homeownership Information Center" will host six introductory, homeownership workshops where prospective homeowners can meet loan officers, realtors, government officials and not-for-profit officials who can help with improvement, assist with money management and credit issues and help with neighborhood safety improvements; and

WHEREAS, on Sunday, April 18, the Rockford Area Affordable Housing Coalition will hold open house throughout the area;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 12-18, 1999, as HOMEBUYER'S FAIR WEEK in Illinois.

Issued by the Governor April 1, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-127

##### KHALSA DAY

WHEREAS, Guru Gobind Singh, the 10th Guru of Sikhs, first initiated the Sikhs on Vaisakhi Day in 1699 AD and created the institution of Khalsa to establish a spiritually inspired democratic world with equality, justice, and religious freedom for all irrespective of cast, color, creed or gender; and

WHEREAS, the Sikhs constitute a well-established religious, social and

ethnic group among the people who have immigrated to Illinois and the United States of America; and

WHEREAS, Sikh immigrants have added to the American culture and continue to maintain their own culture and tradition; and

WHEREAS, Sikhs have been involved in the social, cultural and economic arenas of Illinois; and

WHEREAS, approximately 20 million Sikhs worldwide are celebrating, "300th Khalsa Sirjana Divas," on Vaisakhi Day;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 14, 1999, as KHALSA DAY in Illinois.

Issued by the Governor April 1, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-128

##### ONWARD NEIGHBORHOOD HOUSE DAY

WHEREAS, the Onward Neighborhood House has been a West Town institution since 1928; and

WHEREAS, the Onward Neighborhood House is a community-based family resource center dedicated to the positive development of children and youth, while supporting parents and adults in providing a quality home life, thereby promoting the stability of the neighborhood; and

WHEREAS, the Onward Neighborhood House will hold its Sixth Annual Benefit to support disadvantaged children and community residents at the Three Arts Club of Chicago; and

WHEREAS, the benefit will be co-sponsored by Chicago businesses and will be attended by approximately 100 residents, supporters and community leaders; and

WHEREAS, all proceeds from the benefit will go toward improving educational opportunities for neighborhood youth;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 30, 1999, as ONWARD NEIGHBORHOOD HOUSE DAY in Illinois.

Issued by the Governor April 1, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-129

##### TV TURN OFF WEEK

WHEREAS, there are 10,080 minutes in a week; and

WHEREAS, the average child spends 1,680 minutes a week watching television and only 38.5 minutes a week in meaningful conversation; and

WHEREAS, National TV Turn Off Week is a campaign that urges families to turn off their televisions to spend more time together; and

WHEREAS, National TV Turn Off Week is supported by more than 55 national organizations throughout Illinois and the United States of America; and

WHEREAS, TV Turn Off Week is an event that is celebrated across Illinois and the United States of America to promote quality family time, education, physical activity, and literacy; and

WHEREAS, the State of Illinois joins in the celebration of national TV Turn Off Week;

THEREFORE, I, George Ryan, Governor of the State of Illinois, proclaim April 22-28, 1999, as TV TURN OFF WEEK in Illinois.

Issued by the Governor April 1, 1999.  
Filed by the Secretary of State April 9, 1999.

99-130

**VILLAGE OF KILDEER HOSPITAL INSURANCE  
(MEDICARE) REFERENDUM**

WHEREAS, the Village of Kildeer desires to provide Hospital Insurance (Medicare) coverage for its employees who are not mandatorily covered for Hospital Insurance pursuant to Public Law 99-272 and pursuant to Public Law 101-508; and

WHEREAS, a referendum must be conducted in accordance with the Federal Social Security Act and Illinois Pension Code, Article 21, as amended, which requires that each eligible employee, who is a participant in the Village of Kildeer's retirement plan, be given the opportunity to register his/her personal choice by written ballot as to whether he/she elects Hospital Insurance coverage; and

WHEREAS, the referendum procedure requires that each eligible employee shall be given a detailed description of the two choices available to him/her and allowed 90 days notice prior to the exercise of his/her right to choose; and

WHEREAS, I hereby designate the Executive Secretary of the State Employees' Retirement System and the Mayor of the Village of Kildeer as the officials who are jointly responsible for the distribution of the details of the proclamation pursuant to the provisions of the Federal Social Security Act and the Illinois Pension Code, Article 21, as amended. I hereby confer upon such officials the authority; to jointly certify the results of the referendum to be conducted as herein proclaimed in accordance with said statutes; to allocate their other duties under this proclamation among themselves; and to delegate such other duties to others as they shall deem appropriate;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, do hereby proclaim a period of at least 90 days notice between the dates of May 1, 1999, and July 29, 1999, to eligible employees of the Village of Kildeer that their choice shall be expressed by written ballot in conformity with the referendum procedure under the Federal Social Security Act and the Illinois Pension Code. The ballots shall be returned to the Mayor of the Village of Kildeer and the referendum concluded not later than July 29, 1999.

Issued by the Governor April 1, 1999.  
Filed by the Secretary of State April 9, 1999.

99-131

**WOOTEN CHORAL ENSEMBLE DAY**

WHEREAS, the Wooten Choral Ensemble made its choral debut in July of 1945; and

WHEREAS, the Wooten Choral Ensemble has touched the lives of countless people and inspired them through music; and

WHEREAS, over 700 singers, musicians, composers and directors have been part of the Wooten Choral Ensemble; and

WHEREAS, the Wooten Choral Ensemble will hold a banquet commemorating its 50 years of service at Chicago Celebrations;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim

July 18, 1999, as WOOTEN CHORAL ENSEMBLE DAY in Illinois.  
Issued by the Governor April 1, 1999.  
Filed by the Secretary of State April 9, 1999.

99-132

**JOE GENTILE DAY**

WHEREAS, Joe Gentile is being honored as the 1999 Man of the Year by the Mola Foundation of Chicago; and

WHEREAS, Gentile's generosity is legendary. Among the many beneficiaries of his largesse are St. Ignatius High School and Loyola University, both of which have named gymnasiums after him; and

WHEREAS, he has generously contributed and supported Villa Scalabrini, Shrine of Our Lady of Pompeii, Wally Phillips Neediest Children's Fund, Mercy Home for Boys and Girls and the Comboni Mission Center; and

WHEREAS, the Mola Foundation promotes Italian heritage and culture through support of local charities, scholarships, language classes, the Miss Italia Pageant and the Casa Italia in Stone Park; and

WHEREAS, the annual Mola Foundation banquet will take place in the Crystal Palace in Des Plaines, Illinois, on April 10, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 10, 1999, as JOE GENTILE DAY in Illinois.

Issued by the Governor April 5, 1999.  
Filed by the Secretary of State April 9, 1999.

99-133

**WALKAMERICA WEEKEND**

WHEREAS, the March of Dimes is entering its 61st year as a charitable organization, developing and implementing strategies to promote a healthy start in life for America's babies by preventing birth defects and infant mortality; and

WHEREAS, the organization was founded by President Franklin D. Roosevelt to address a national health crisis -- polio -- and later the March of Dimes focused its attention to improving the health of babies by working to prevent birth defects beyond polio; and

WHEREAS, the March of Dimes Birth Defects Foundation is a unique partnership of volunteers and professionals dedicated to supporting research and providing services to help all parents have healthy babies; and

WHEREAS, the March of Dimes continually searches for new avenues to strengthen its crusade; and

WHEREAS, this year marks the 14th year that the March of Dimes will host the Springfield Walk-America, which raises funds for these causes;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 24-25, 1999, as WALKAMERICA WEEKEND in Illinois and urge the citizens of Illinois to walk to help the March of Dimes in their Campaign for Healthier Babies.

Issued by the Governor April 5, 1999.  
Filed by the Secretary of State April 9, 1999.

99-134

**MARITIME DAY**

WHEREAS, National Maritime Day has been observed since 1933, marking the date of the first successful Atlantic crossing by a ship using steam propulsion; and

WHEREAS, today we honor the American Merchant Marine, whose men and women served in time of war and peace, contributing to the waterborne commerce of our state and nation; and

WHEREAS, men and women from each of our states who are serving in the American Merchant Marine are honored on this day each year, along with the many seamen who lost their lives in the World Wars and those who served with such courage and dedication in the Korean, Vietnam, and Persian Gulf conflicts; and

WHEREAS, these ocean-going merchant ships greatly benefit the economic standing of Illinois by carrying their cargoes through the Great Lakes and its inland waterways; and

WHEREAS, the Propeller Club of the United States, with 63 member clubs through the country, annually takes time to celebrate this day with a variety of functions;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 21, 1999, as MARITIME DAY in Illinois.

Issued by the Governor April 6, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-135

##### WLS RADIO DAY

WHEREAS, Chicago's WLS, Newstalk 89, was born on April 12, 1924; and

WHEREAS, WLS Radio continues to be one of America's most respected radio stations -- from the Prairie Days of the National Barn Dance, the immediate forerunner and prototype of the Grand Ole Opry, to one of America's leading top 40 music radio stations, to a national leader in developing the personal talk format; and

WHEREAS, WLS personalities have been radio pioneers and have contributed to the culture and mainstream society of America and to the progress of radio broadcasting; and

WHEREAS, WLS Radio has had several landmark broadcasts including the first broadcast at the 1933 Chicago Century of Progress World's Fair, the only audio recording of the Hindenburg explosion by WLS Newsman Herbert Morrison and WLS Technician Charles Nelson, the first three way radio broadcast in 1930 and a nationally recognized series of special programs in support of the 1940's war effort; and

WHEREAS, WLS programming and information has earned worldwide recognition with, among many others, the prestigious Dupont Award, the World Understanding Award, the Edward R. Murrow Award and the penultimate Marconi Award; and

WHEREAS, WLS Radio continues its commitment to keeping the WLS Creed of Honor that was penned by long-time WLS President Burrige Davenal Butler in 1938 stating that radio is a public trust and WLS Radio must "never forget this responsibility"; and

WHEREAS, this year commemorates WLS Radio's 75th Anniversary;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 12, 1999, as WLS RADIO DAY in Illinois.

Issued by the Governor April 6, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-136

##### ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY

WHEREAS, for the past 40 years, the Electric and Telephone Cooperatives of Illinois have sponsored a tour of Washington, DC, for approximately 60 outstanding Illinois high school students who are selected on the basis of essay and youth leadership contests sponsored by the member cooperatives; and

WHEREAS, students from Illinois, along with nearly 1,500 contest winners nationally, will have an opportunity to witness their federal government in action during the "Youth to Washington" tour June 18-25, 1999; and

WHEREAS, in an effort to provide a broader educational experience for more students throughout the state, the Electric and Telephone Cooperatives of Illinois will also sponsor a trip to our State Capitol April 21 for 250-300 contest finalists;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 21, 1999, as ELECTRIC AND TELEPHONE COOPERATIVES YOUTH DAY in Illinois.

Issued by the Governor April 7, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-137

##### GUBERNATORIAL PROCLAMATION

A severe weather system that moved across west central Illinois on April 8, 1999, inflicted heavy damage in Cass and Hancock counties. This weather system caused extensive damage to homes and businesses. In the interest of responding to the threat imposed to public health and safety as a result of the storm system, I hereby declare that a disaster exists within the State of Illinois, and specifically identify Cass and Hancock counties as a disaster area, pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7. This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the state effort to assist local governments in disaster response and recovery operations. This declaration will also provide for the assessment of damages and the determination of a need to request supplemental Federal assistance.

Issued by the Governor April 9, 1999.

Filed by the Secretary of State April 9, 1999.

#### 99-138

##### MIKE DITKA DAY

WHEREAS, Mike Ditka is part of the legend and lore that has made Chicago and the State of Illinois such great places to live, work and play; and

WHEREAS, Mike Ditka has earned some of football's highest honors including being named as an All-American from the University of Pittsburgh in 1960, an All Pro from 1961-1966, playing with the 1963 NFL Championship Chicago Bears as well as leading the Chicago Bears to their 1985 championship win; and

WHEREAS, Mike Ditka has won numerous awards and honors including the 1961 Rookie of the Year, 1988 Coach of the Year and being voted into the Football Hall of Fame in 1988; and

WHEREAS, Mike Ditka has proven himself as an outstanding humanitarian and is actively involved in charitable organizations including Misercordia and the Special Olympics; and

WHEREAS, Mike Ditka is the proud father of Matt, Mark, Mike and Megan and the loving husband to Diana; and

WHEREAS, Coach Mike Ditka will be honored on April 12, 1999, when the City of Chicago renames the 100 block of East Chestnut as Mike Ditka Way;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 12, 1999, as MIKE DITKA DAY in Illinois.

Issued by the Governor April 8, 1999.

Filed by the Secretary of State April 16, 1999.

99-139

#### OUTPATIENT AND AMBULATORY CARE PERSONNEL DAY

WHEREAS, the Chicago area commitment to the community is evident in its health care organizations; and

WHEREAS, outpatient and ambulatory care are a vital component in the provision of modern health care; and

WHEREAS, health care employees such as physicians, nurses, technicians, therapists, social services personnel, administrators, support staff and others involved in providing outpatient and ambulatory services are an integral part of the health care team; and

WHEREAS, these individuals' contributions enhance the metropolitan Chicago area's reputation for health care excellence; and

WHEREAS, the nearly 125 hospitals and health care organizations that are members of the Metropolitan Chicago Healthcare Council salute outpatient and ambulatory care personnel and the important role they play in maintaining the Chicago area as a healthy and productive community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 6, 1999, as OUTPATIENT AND AMBULATORY CARE PERSONNEL DAY in Illinois.

Issued by the Governor April 8, 1999.

Filed by the Secretary of State April 16, 1999.

99-140

#### CRIME VICTIMS' RIGHTS WEEK

WHEREAS, one violent crime is committed in America every 19 seconds; and WHEREAS, 36.8 million victimizations of Americans occur in the United States each year, and of those, 9.1 million are victims of violent crimes; and

WHEREAS, crime victims play an indispensable role in bringing offenders to justice; and

WHEREAS, law-abiding citizens are no less deserving of justice, rights, resources, restoration, and rehabilitation than the violent offenders who victimize them; and

WHEREAS, crime victims and their advocates over the past two decades have made unparalleled progress in securing rights for crime victims in the criminal justice system; and

WHEREAS, the citizens across America believe that Victims' Rights are Right for America and the millions of survivors of crime and their families deserve justice; and

WHEREAS, America, as a nation devoted to liberty and justice for all, must increase its efforts to protect, restore and expand crime victims' rights;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 25-May 1, 1999, as CRIME VICTIMS' RIGHTS WEEK in Illinois.

Issued by the Governor April 12, 1999.

Filed by the Secretary of State April 16, 1999.

99-141

#### GROUNDWATER PROTECTION MONTH

WHEREAS, nearly all rural Illinois residents use groundwater as their daily source of water; and

WHEREAS, nearly a half of the state's citizens, 65 percent of its 1,800 community water systems and a significant number of its industries, rely on groundwater; and

WHEREAS, thousands of abandoned unused wells in both urban and rural settings threaten the continued quality of Illinois' essential groundwater resources by being one of the most direct connections between surface water and groundwater, while also threatening the safety of people and animals with accidental entrapment; and

WHEREAS, contamination of the groundwater and the occurrence of accidents are preventable when abandoned wells are properly sealed; and

WHEREAS, estimates of the numbers of abandoned wells run from 50,000 to 200,000, but only 2,000 or so are currently being sealed each year despite the fact that the Illinois Water Well Construction Code requires a well owner to seal an abandoned well within 30 days of its abandonment; and

WHEREAS, the Illinois Water Well Sealing Coalition, consisting of 31 organizations and 10 state agencies, has developed educational materials, a web site, policy proposals and a strategy all related to the identification and sealing of abandoned wells;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as GROUNDWATER PROTECTION MONTH in Illinois.

Issued by the Governor April 12, 1999.

Filed by the Secretary of State April 16, 1999.

99-142

#### LITTLE VILLAGE CHAMBER OF COMMERCE DAY

WHEREAS, for over 40 years the Little Village Chamber of Commerce has been the support network for hundreds of businesses throughout the Chicagoland area; and

WHEREAS, for the last 12 years the Little Village Chamber of Commerce has been one of the strongest and most important marketing links between major corporations and the Hispanic community; and

WHEREAS, the Little Village Chamber of Commerce is a not-for-profit organization that is dedicated to the promotion and expansion of business opportunities in the Little Village community and beyond; and

WHEREAS, Little Village Chamber of Commerce sponsors or takes part in the Cinco de Mayo Gala Awards Banquet, the Cinco de Mayo Golf Outing, the Fiestas Banquet and Pagant, the Mexican Independence Day Parade, Bi-monthly Networking Receptions and the Little Village Chamber of Commerce Business Directory;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 29, 1999, as LITTLE VILLAGE CHAMBER OF COMMERCE DAY in Illinois.

Issued by the Governor April 12, 1999.

Filed by the Secretary of State April 16, 1999.

## 99-143

## MUNDELEIN HIGH SCHOOL SHOW CHOIR WEEK

WHEREAS, the Mundelein High School Show Choir from Mundelein has been selected to represent the State of Illinois in the 1999 National Show Choir Competition in Branson, Missouri, on April 22- 25, 1999; and

WHEREAS, under the direction of Brett Carroll, the Mundelein High School Show Choir was selected to attend on the basis of superior performance ratings and recommendations from state and local music educators; and

WHEREAS, a successful choral performance requires a great deal of dedication, practice, and self-discipline; and

WHEREAS, this experience will serve these young ambassadors from Illinois well as they move forward in life to confront the future challenges of college and the workplace;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 22-28, 1999, as MUNDELEIN HIGH SCHOOL SHOW CHOIR WEEK in Illinois.

Issued by the Governor April 12, 1999.

Filed by the Secretary of State April 16, 1999.

## 99-144

## PUERTO RICAN CHAMBER OF COMMERCE OF ILLINOIS DAY

WHEREAS, the Puerto Rican Chamber of Commerce of Illinois (PRCCI) is celebrating its 36th Anniversary; and

WHEREAS, PRCCI has been actively involved in the economic and social development of the Puerto Rican community; and

WHEREAS, PRCCI provides technical assistance to Hispanic business people throughout the community; and

WHEREAS, PRCCI developed the Hispanic Business Women's Conference to expose the Hispanic Businesswoman to areas of businesses not previously available; and

WHEREAS, PRCCI provides scholarships to deserving students of Puerto Rican descent;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1, 1999, as PUERTO RICAN CHAMBER OF COMMERCE OF ILLINOIS DAY in Illinois.

Issued by the Governor April 12, 1999.

Filed by the Secretary of State April 16, 1999.

## 99-145

## STUDENT TECHNOLOGY DAY

WHEREAS, the eighth annual TECH 2000/AT&T school technology demonstration will be held at the Illinois State Capitol Building on April 28, 1999; and

WHEREAS, more than 140 Illinois schools and some 300 students will participate in the event to show visitors, including state senators and representatives, how classroom technology is being used to engage students and increase their achievement; and

WHEREAS, the week of April 25 - May 1, 1999, is National Science and Technology Week;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 28, 1999, as STUDENT TECHNOLOGY DAY in Illinois.

Issued by the Governor April 12, 1999.

Filed by the Secretary of State April 16, 1999.

## 99-146

## WESTERN ILLINOIS UNIVERSITY DAY

WHEREAS, the education of our citizens has been a top priority of the State of Illinois; and

WHEREAS, Illinois' system of higher education has ensured the availability of a high-quality, affordable post-secondary education for those who seek to enrich their professional and personal lives through higher education; and

WHEREAS, Western Illinois University has been an important part of the state's public university system and has made significant contributions to Illinois' educational and economic growth; and

WHEREAS, since its original charter in April 1899, the University has grown from a small teacher's college to a comprehensive university offering a full array of programs to students in Macomb, the Quad Cities and across the country; and

WHEREAS, Western Illinois University this year will celebrate their 100th year of operation and service to the State of Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 24, 1999, as WESTERN ILLINOIS UNIVERSITY DAY in Illinois.

Issued by the Governor April 13, 1999.

Filed by the Secretary of State April 16, 1999.

## 99-147

## EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, Emergency Medical Services (EMS) embody the true concept of teamwork by recognizing the interdependent relationship among trauma centers, EMS system hospitals, ambulance providers, emergency and trauma physicians, emergency nurses, emergency medical technicians (EMTs) - basic, coal miner, intermediate and paramedic - field nurses, emergency communication nurses, trauma nurse specialists, emergency dispatchers and first responders who are dedicated to saving lives; and

WHEREAS, in Illinois there are more than 61 EMS resource hospitals, 68 trauma centers, more than 25,000 EMTs-B, 480 EMTs-C, 2,600 EMTs-I and 9,116 EMTs-P selflessly providing 24-hour service to the people of Illinois; and

WHEREAS, this year's national theme, "EMS - Meeting the Challenge," underscores the often difficult situations in which EMS personnel must perform;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 16-22, 1999, EMERGENCY MEDICAL SERVICES WEEK Illinois.

Issued by the Governor April 14, 1999.

Filed by the Secretary of State April 16, 1999.

## 99-148

## MUNICIPAL CLERKS WEEK

WHEREAS, the office of the Municipal Clerk, a time-honored and vital part of local government, exists in countries throughout the world; and

WHEREAS, this office consistently and efficiently serves its local legislative body, the municipal staff and the general public by recording the actions of the Council, Commissions and Committees maintaining records for

reference, inspection and preservation; and

WHEREAS, this office most often performs one or more additional important functions including election administration, finance management, records administration and general administrative services; and

WHEREAS, the Municipal Clerk and his/her staff have continuously updated their skills and technical knowledge to prepare for the challenges of the future; and

WHEREAS, it is appropriate that we recognize the accomplishments of this office and call the public's attention to the many services that it performs;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-8, 1999, as MUNICIPAL CLERKS WEEK in Illinois.

Issued by the Governor April 14, 1999.

Filed by the Secretary of State April 16, 1999.

#### 99-149

##### PUBLIC SERVICE RECOGNITION WEEK

WHEREAS, 200 million Americans are served every day by public employees who provide a wide range of employees; and

WHEREAS, public employees include our teachers, food and safety inspectors, laborers, public servants and all the other people who provide the myriad of services demanded by the American people; and

WHEREAS, many public employees risk their lives each day as police officers, firefighters, border patrol officers, soldiers, embassy employees, military personnel, health care professionals among many jobs for the sake of the people of the United States whom they serve; and

WHEREAS, Americans have one of the lowest tax rates in the world despite the high quality of these services; and

WHEREAS, without these government employees, there could be no continuity in a democracy such as ours which regularly changes its leaders and elected officials;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 3-9, 1999, as PUBLIC SERVICE RECOGNITION WEEK in Illinois.

Issued by the Governor April 14, 1999.

Filed by the Secretary of State April 16, 1999.

#### 99-150

##### SAFE KIDS WEEK

WHEREAS, each year, nearly 300 Illinois children younger than 15 years of age die from unintentional injuries; and

WHEREAS, each year, more than 5,000 Illinois children younger than 15 years of age are injured severely enough to be admitted to one of the state's trauma centers; and

WHEREAS, unintentional childhood injury is the number one killer of children younger than 15 years of age; and

WHEREAS, the National SAFE KIDS Campaign promotes childhood injury prevention by uniting diverse groups into local and state coalitions, by developing innovative educational tools and strategies, by initiating public policy changes, by encouraging the use of new technology and by raising awareness through the media; and

WHEREAS, the Illinois SAFE KIDS Coalition, coordinated by the Illinois

Department of Public Health, is one of the leading state organizations dedicated to the prevention of unintentional childhood injury; and

WHEREAS, the theme for this year's National SAFE KIDS Week is "Helping Every Generation Care for Kids";

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1-8, 1999, as SAFE KIDS WEEK in Illinois.

Issued by the Governor April 14, 1999.

Filed by the Secretary of State April 16, 1999.

#### 99-151

##### AGELESS HEROES DAY

WHEREAS, as part of their historic commitment to caring for America's ageless population, the Blue Cross and Blue Shield System introduced the Ageless Heroes Award program to recognize the achievements of Americans 65 and over; and

WHEREAS, the Blue Cross and Blue Shield Association is a membership organization of 52 independent, locally operated companies called Member Plans located in 50 states, the District of Columbia and Puerto Rico; and

WHEREAS, for nearly 70 years, the Blue Cross and Blue Shield Plans have provided high quality health care financing services that today are depended on by more than 68.7 million consumers nationwide; and

WHEREAS, on Tuesday, May 18 at the Harold Washington Library in Chicago, President George Bush and former First Lady Barbara Bush will honor five individuals, age 65 and older, who demonstrate that while achievement itself is noteworthy, the path to accomplishments also has its rewards;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 18, 1999, as AGELESS HEROES DAY in Illinois.

Issued by the Governor April 15, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-152

##### CERTIFIED PROFESSIONAL MIDWIFE AWARENESS WEEK

WHEREAS, Certified Professional Midwives provide the "Midwifery Model of Care" which is based on the fact that pregnancy and birth are normal life processes; and

WHEREAS, Certified Professional Midwives are dedicated to the care of women during pregnancy and birth, and treat each woman's pregnancy according to their unique physical and personal needs; and

WHEREAS, Certified Professional Midwives offer pregnancy screening, prenatal care, childbirth classes and counseling to pregnant women regarding nutrition, pregnancy, family relations and postpartum concerns; and

WHEREAS, Certified Professional Midwives offer cost-effective care to low-risk women and bring high-risk women into the medical health-care system when these women otherwise would not have secured health-care; and

WHEREAS, Certified Professional Midwives are the only nationally credentialled birth attendants with required out-of-hospital experience; and

WHEREAS, May 5th is celebrated around the world as the International Day of the Midwife;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim

May 2-8, 1999, as CERTIFIED PROFESSIONAL MIDWIFE AWARENESS WEEK in Illinois.

Issued by the Governor April 15, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-153

##### HOME EDUCATION WEEK

WHEREAS, the State of Illinois is committed to excellence in education;

and WHEREAS, the State of Illinois recognizes the importance of family support in educational programs; and

WHEREAS, home education was proven successful in the lives of George Washington, Thomas Edison, Helen Keller, Agatha Christie, Franklin Roosevelt, and others and may be administered in Illinois under statutory requirements of the School Code;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-8, 1999, as HOME EDUCATION WEEK in Illinois.

Issued by the Governor April 15, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-154

##### AMERICAN INDIAN AWARENESS DAYS

WHEREAS, Native Americans are the original inhabitants of the lands that now constitute the United States of America and the State of Illinois; and

WHEREAS, Native Americans have always exemplified family life, courage and a sense of democracy in their communities; and

WHEREAS, Native Americans have made significant contributions to the cultural heritage of Illinois in terms of art, government and values; and

WHEREAS, the Pow Wow, or gathering of Indians, has been a respected and important means of preserving Native American arts, culture and religion;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1-2, 1999, as AMERICAN INDIAN AWARENESS DAYS in Illinois.

Issued by the Governor April 16, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-155

##### BILL KURTIS DAY

WHEREAS, the Decalogue Society of Lawyers' Award of Merit for 1999 honors an individual who has made outstanding contributions to humanity at the national and international level in science, the arts, government, philosophy, or law; and

WHEREAS, Bill Kurtis has been selected to receive the 1999 award; and WHEREAS, Kurtis moved to Chicago in the late 1960s and covered the protests and riots of the period; and

WHEREAS, beginning in 1973, Kurtis teamed with Walter Jacobson at WBBM-TV and over the next nine years they established a formidable record covering news. During this period, Kurtis initiated several innovative practices which have become standard in the industry; and

WHEREAS, Kurtis became the first "foreign correspondent" who covered world hot spots when international stories contained an element of interest to the people of Illinois; and

WHEREAS, in 1982, Kurtis moved to New York to anchor the "CBS Morning News" and to complete several documentaries for the prestigious "CBS Reports;" and

WHEREAS, Kurtis returned to Chicago in 1985 where he has become one of the country's most prolific producers of documentaries for television;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 22, 1999, as BILL KURTIS DAY in Illinois.

Issued by the Governor April 16, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-156

##### AMERICAN ASSOCIATION OF UNIVERSITY WOMEN DAY

WHEREAS, in 1881, seventeen women in Boston formed the American Association of University Women, a national organization of college graduates with the mission of promoting higher education for women; and

WHEREAS, in 1924, the 12 Illinois branches with 765 members of the American Association of University Women decided to form a state organization, and today Illinois has 68 branches with 4500 members; and

WHEREAS, over the past 75 years, the American Association of University Women has worked for education and equity for women and girls and positive societal change; and

WHEREAS, on April 24, 1999, the American Association of University Women-Illinois, Inc. will celebrate its 75th Anniversary at their annual convention in Oakbrook, Illinois, to commemorate 75 years of making a difference;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 24, 1999, as AMERICAN ASSOCIATION OF UNIVERSITY WOMEN DAY in Illinois.

Issued by the Governor April 19, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-157

##### CRIME VICTIMS RIGHTS WEEK

WHEREAS, the Victim Assistance Program was founded in 1986 to address the special needs of victims and witnesses once they enter the court system; and

WHEREAS, the Victim Assistance Program provides crime victims and witnesses with information about the court system, its proceedings, assistance in seeking compensation, support counseling and referrals to community agencies for follow-up services; and

WHEREAS, the Victim Assistance Program works in conjunction with Vermillion County agencies including: The YWCA Women's Shelter and Sexual Assault Crisis Services, CRIS Senior Services and Catholic Social Services; and

WHEREAS, the Victim Assistance Program is a great asset to those who have been the victim or a witnesses to a crime and may need assistance or help operating in the court system;

THEREFORE, I, George Ryan, Governor of the State of Illinois, proclaim April 25 through May 1, 1999 as CRIME VICTIMS RIGHTS WEEK in Illinois.

Issued by the Governor April 19, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-158

## BETTER HEARING MONTH

WHEREAS, communicative disorders such as hearing loss, speech impairments and related language deficiencies constitute our nation's number one disability; and

WHEREAS, 1.1 million Illinoisans have speech, language, or hearing impairments that may affect their education, vocational, personal or social functions; and

WHEREAS, most people with such disorders can be helped through medical treatment, surgery, hearing aids or therapy; and

WHEREAS, the leading national and regional organizations concerned with hearing, speech and language problems have joined together to promote public awareness through an extensive annual effort; and

WHEREAS, such an effort will encourage and stimulate early detection of communicative disorders, proper prevention and treatment and greater public understanding of hearing, speech and language impairments; and

WHEREAS, the American Hearing Research Foundation has been doing research to help the hearing impaired community since 1966;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as BETTER HEARING MONTH in Illinois.

Issued by the Governor April 20, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-159

## BROADER URBAN INVOLVEMENT AND LEADERSHIP DEVELOPMENT DAY

WHEREAS, Broader Urban Involvement and Leadership Development is a not-for-profit organization which works to reduce gang involvement and violence; and

WHEREAS, since 1969, B.U.I.L.D. has worked in the streets and schools to provide constructive alternatives to gangs emphasizing education and jobs; and

WHEREAS, B.U.I.L.D. has worked with 76,000 young people and over 100 schools during the past 30 years in helping thousands to leave gangs and develop productive, happy lives; and

WHEREAS, 2,258 youth were involved in programs last year which offer alternatives to the intimidation and violence of gangs; and

WHEREAS, 3,253 adults participated in B.U.I.L.D. gang awareness workshops and presentations last year which provide information about gangs and B.U.I.L.D.'s solutions to the problems; and

WHEREAS, at its 30th anniversary celebration, B.U.I.L.D. is honoring Michael D. O'Halleran, President and Chief Operating Officer of Aon Group, Inc. for his dedication and service to the community;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 8, 1999, as BROADER URBAN INVOLVEMENT AND LEADERSHIP DEVELOPMENT DAY in Illinois.

Issued by the Governor April 20, 1999.

Filed by the Secretary of State April 23, 1999.

## 90-160

## CHILDREN'S MENTAL HEALTH WEEK

WHEREAS, the health and well-being of children is our responsibility; and WHEREAS, the safety of our children is a significant concern for parents, community leaders and health care providers; and

WHEREAS, one in five American children and adolescents may have a behavioral, emotional or mental problem; and

WHEREAS, all children, no matter their geographic location, can be susceptible to mental problems;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 2-8, 1999, as CHILDREN'S MENTAL HEALTH WEEK in Illinois.

Issued by the Governor April 20, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-161

## EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY

WHEREAS, Emergency Medical Services for Children (EMSC) recognizes that children have unique physiological responses to illness and injury; and WHEREAS, EMSC promotes a specialized approach to pediatric care; and

WHEREAS, Illinois' emergency medical services system strives to integrate pediatric emergency care needs across a wide spectrum; and

WHEREAS, in Illinois there are more than 155,000 nurses, 31,000 physicians, 25,000 emergency medical technicians (EMTs)-basic, 480 EMTs-coal miner, 2,600 EMTs-intermediate, 9,116 EMTs-paramedic and 230 hospitals dedicated to promoting preventive measures, prehospital care, outpatient and specialized services, and inpatient and rehabilitative care; and

WHEREAS, Illinois champions the nations EMSC commitment to reduce childhood morbidity and mortality associated with severe illness and trauma;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 1999, as EMERGENCY MEDICAL SERVICES FOR CHILDREN DAY in Illinois.

Issued by the Governor April 20, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-162

## TAMBURA AND DANCE GROUP CROATIAN VINES DAY

WHEREAS, the Tambura and Dance Group Croatian Vines will celebrate their 20th anniversary on April 24, 1999, at their annual program at the St. Scholastica School; and

WHEREAS, the Tambura and Dance Group Croatian Vines promotes the rich heritage and culture of the Croatian community;

WHEREAS, the group is sponsored by the Blessed Alojzija Stepinac Croatian Church and the Croatian Cultural Center; and

WHEREAS, the Tambura and Dance Group Croatian Vines have performed throughout Illinois and the United States, Canada and Croatia; and

WHEREAS, Ljubica Suchec, President; Vera Starcevic, Director of Dance; Jedinko Prskalo, Director of Music; Jelena Zivko and Anton Pavlakovic, tambura teachers; Ann Marie Hosticka, Marija Fumic and Olivia Vojvodic, dance teachers; are to be commended for their dedication and commitment to Croatian Youth;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim April 24, 1999, as TAMBURA AND DANCE GROUP CROATIAN VINES DAY in Illinois.

Issued by the Governor April 20, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-163

## WIC MONTH

WHEREAS, the Congress of the United States established the Special Supplemental Nutrition Program for Women, Infants and Children 25 years ago under the administration of the US Department of Agriculture; and

WHEREAS, the WIC Program was established in 1974 in response to the alarming rates of anemia among American children, especially those in lower income groups; and

WHEREAS, anemia has been shown to adversely affect the physical and cognitive development of infants and children, both prenatally and after birth; and

WHEREAS, the WIC Program assesses women, infants and children for nutritional risk and provides them with appropriate information and nutritious foods; and

WHEREAS, the WIC Program provides referrals to other health care providers, especially for prenatal care; and

WHEREAS, the WIC Program has been shown to have lessened childhood anemia, infant mortality, premature births, low birth- weight and other problems related to nutrition in pregnant women, breastfeeding women and children under the age of five; and

WHEREAS, the WIC program began operating in the State of Illinois in 1974 and is celebrating its 25th anniversary;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as WIC MONTH in Illinois.

Issued by the Governor April 20, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-164

## ASIAN-PACIFIC AMERICAN HERITAGE MONTH

WHEREAS, the Asian American community constitutes the fastest growing minority group in the country and is an important element of our unique American mosaic; and

WHEREAS, the achievements of Asian Americans have contributed to our nation's progress and prosperity in a wide range of fields including art, architecture, literature, education, government, law, industry, commerce, medicine, science, and technology, thus having contributed to the quality of life for Asian Americans and non-Asians alike; and

WHEREAS, Asian Americans, and all those who journeyed to the United States in pursuit of freedom and liberty, are an important part of our nation's foundation; and

WHEREAS, the Asian American community is visible and active as its members make significant strides toward full participation and equal opportunity in all walks of life;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as ASIAN-PACIFIC AMERICAN HERITAGE MONTH in Illinois and urge all citizens to join this celebration recognizing the infinite contributions of Asian Americans to our great state.

Issued by the Governor April 21, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-165

## AVIATION SAFETY AWARENESS MONTH

WHEREAS, aviation safety is of supreme importance to the citizens of Illinois and the United State of America; and

WHEREAS, the Federal Aviation Administration Safety Program is dedicated to promoting safety and education in the aviation community; and

WHEREAS, the Federal Aviation Administration Safety Program strives to provide the general public and the aviation community with programs and activities that will emphasize the importance of providing the safest means of transportation in the world; and

WHEREAS, the Federal Aviation Administration Safety Program provides numerous programs including seminars and presentations on aviation safety topics, counseling on aviation regulations and maintenance as well as assisting the aviation community with aviation events;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 1999 as AVIATION SAFETY AWARENESS MONTH in Illinois.

Issued by the Governor April 21, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-166

## CYTOTECHNOLOGY DAY

WHEREAS, cytotechnologists are specialists in the field of medical technology whose primary responsibility is to examine cells and detect a variety of diseases including cancer and pre-cancerous changes; and

WHEREAS, these skilled professionals are called upon daily to examine various medical specimens and advise physicians who in turn use this vital information to chart their patients course of treatment; and

WHEREAS, through the diagnostic skill of cytotechnologists, it is possible to detect cancer in the early stages of development and greatly increase a person's chances of survival; and

WHEREAS, there are a few hundred cytotechnologists in the State of Illinois; and

WHEREAS, the Illinois Society of Cytology will join the American Society of Cytotechnologists in observing National Cytotechnology Day on May 13, 1999;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 13, 1999, as CYTOTECHNOLOGY DAY in Illinois.

Issued by the Governor April 21, 1999.

Filed by the Secretary of State April 23, 1999.

## 99-167

## DEL WEBB DAY

WHEREAS, the Sun City development in Huntley will celebrate the 100th anniversary of Del Webb's birth on Monday, May 17, 1999; and

WHEREAS, Del Webb has contributed to the economic and community growth in Illinois through his involvement in the Oak Brook Development Company. Del Webb was responsible for the development of 1,100 acres of industrial park land, the construction of 23 commercial buildings, 1,046 homes and 1,308 hotel rooms; and

WHEREAS, Del Webb's construction company renovated the historic Wrigley Field in 1961, Comiskey Park in 1967 and Soldier Field in 1981; and

WHEREAS, Del Webb Construction oversaw the building of electric power generating facilities, water treatment plants and office buildings for the City of Chicago, as well as bridges and other facilities for the Chicago Transit Authority; and

WHEREAS, the Del Webb Corporation continues to support economic growth through the development of the 1,800 acre Sun City in Huntley, the first community to meet the needs of the new generation of retirees seeking an active retirement lifestyle here in Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 15, 1999, as DEL WEBB DAY in Illinois.

Issued by the Governor April 21, 1999.

Filed by the Secretary of State April 23, 1999.

#### 99-168

#### NATIONAL COLLEGE OF CHIROPRACTIC DAYS

WHEREAS, The National College of Chiropractic, located in Lombard, Illinois, is a world-renowned institution of higher education; and

WHEREAS, since its founding in 1906, National College has stressed the importance of providing the highest possible quality of education and professionalism for its students; and

WHEREAS, the state of health of the citizens of Illinois and the world has been greatly enhanced by the existence of The National College and the chiropractic physicians it has produced; and

WHEREAS, The National College of Chiropractic will hold its annual homecoming June 24-26, 1999, in Oakbrook, Illinois;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 24-26, 1999, as NATIONAL COLLEGE OF CHIROPRACTIC DAYS in Illinois.

Issued by the Governor April 21, 1999.

Filed by the Secretary of State April 23, 1999.

Rules acted upon during the calendar quarter from Issue 17 through Issue 29 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jpatale@ecgate.sos.state.il.us (Internet address).

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